

California Historical Society

Quarterly

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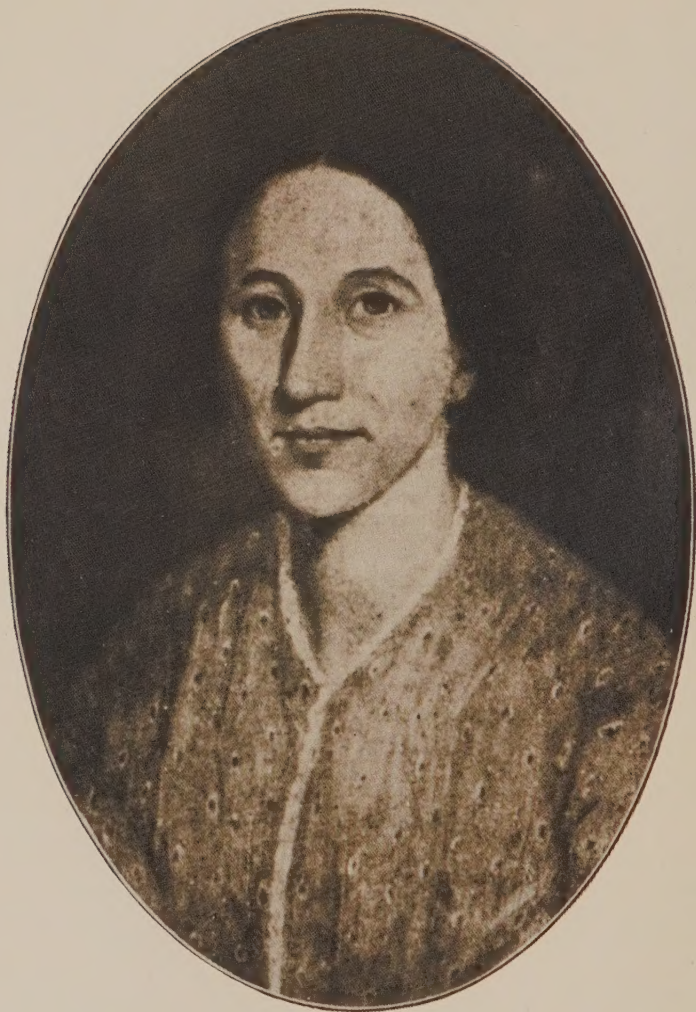
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MARY MURPHY COVILLAUD,
wife of Charles Covillaud, for whom the City of Marysville was named
Reproduced from a photograph of the original painting by
an unknown French artist in the collection of the
Marysville Parlor, N. D. G. W.

California Historical Society *Quarterly*

VOLUME XIV



NUMBER 3

SEPTEMBER 1935

THE BEGINNINGS OF MARYSVILLE

By EARL RAMEY

PART I

THE FIRST VISITOR

MARYSVILLE is and always has been a typically American city. Unlike many other California towns it lays no claim to Hispano-Mexican beginnings. It owes its birth to the Gold Rush; to the necessity of a center from which the northern "diggin's" could be supplied. While it is true that events transpired affecting the ownership of the land upon which the city is built before the Discovery of Gold on January 24, 1848, still the actual community was not brought into being until California was in the possession of the United States. Even the first known visitor to its site was an American: that great explorer, fur trader and trapper, Jedediah Strong Smith, the first man of our nation to journey overland to the Spanish-speaking settlements in California.

Others had been in the vicinity of the junction of the Yuba and Feather rivers before him, but from the records which they have left of their journeyings not one of them approached nearer than five miles to the location of the future Marysville, whose history, therefore, rightly begins with the date of Smith's visit.

From the entry of March 16, 1828, in Smith's diary we learn that he and his party of American trappers on that day moved their camp across the Yuba to the point of land embraced between the Yuba and Feather rivers. The entries in the diary which have to do with his visit are as follows:

14th March I made my calculations for crossing the fork which came from the East on the Morrow. To this river [the Yuba] I gave the Indian name Hen-neet. The weather still continued fine and Mr. Rodgers wounds in such a situation as to make it impossible that I should move any great distance in the day.

15th March I went with the trappers across the Hen neet and directed them to encamp near where the[y] would set their traps. I recrossed to camp. A considerable number of indians crossed the River a short distance below. 14 Beaver taken.

16th March Moved N E about 1 mile up the river and crossed over above the forks without any difficulty by the help of my skin canoe in which my goods were carried over, the horses swimming. The indians near my camp still continue friendly and were singing when I left them. 12 Beaver taken.

17th March I went with the trappers 8 or 10 Miles up the River [the present Feather] which came from the North and united with the Hen neet near my camp. To this River I gave the name Ya-loo which was the name I applied to the indians of the village last visited [probably the Hocks on the west bank of the Feather]. We found but little Beaver sign as far as we went up the river. I passed two indian villages of 20 or 25 dirt lodges each the inhabitants were much alarmed at our approach but after some time I prevailed on them to come to me and take some presents.

During my absence there was a considerable alarm in camp by the appearance of several hundred indians on the opposite bank of the River but the alarm subsided when they passed on up the river and in a short time returned loaded with Acorns from some caches they had in that direction. 9 Beaver taken.

18th March I sent the trappers to remove their traps from the Yaloo to a branch of the Hen-neet on which they found some Beaver sign. 9 Beaver taken.

19th March As there was no chance for trapping on the Yaloo and some little on the Henneet I move N E 5 miles towards the foot of the Mountain. I was induced to do this more especially as Mr. Rodgers was not in a situation to make a great days travel which would be necessary in traveling up the Yaloo for it was in all probability some distance to Beaver in that direction. After encamping I went North 5 or 6 miles to a Creek 20 yards wide running west called from the Color of its bank Red Bank Creek. It was fordable but I found verry little beaver sign in it. The country generally as the dry season advanced became dry and firm and apparently fit for cultivation, presenting a verry different appearance from that of a month back when it was almost impossible to travel in any direction.¹

Smith and his men had been in the vicinity for ten days or more. They were traveling northward, trapping beaver as they went. From the Indians he encountered, Smith learned the native names he gave to the streams bounding his camp site. That coming in from the east he called the Hen-neet—the Yuba of today—and to that flowing from the north which we now know as the Feather he gave the designation “Yaloo.”

Red Bank Creek mentioned under date of March 19, 1828, was today's Honcut, and from identification of this and other geographical features noted by Smith on his northward journey, which later ended so tragically for all but four of the party on the Umpqua River in Oregon, we can state with assurance that Marysville today occupies the campsite of the American trappers under Smith's command.

Before and after the coming of Jedediah Smith the then vast wilderness of the Sacramento valley had attracted the attention of Spanish explorers. Yet

none of them reached the location of the American city which was to grow up at the junction of the Yuba and Feather rivers.

During the months of September and October, 1808, Gabriel Moraga, the son of José Joaquin Moraga the founder of the San Francisco presidio in 1776 and the Pueblo of San Jose in 1777, and himself a soldier and explorer of note, led an exploring expedition up the Sacramento Valley. This party followed the course of the American River for a time, crossed overland westward to the Feather River a short distance above its mouth, and then proceeded north-westward to the Marysville Buttes. From the Buttes they moved northeast to the Feather again, across the northern part of what is now Yuba County to the American for the second time, and down this stream before returning to their station at San Jose. They had circumambulated the site of Marysville but had never come closer to it than five miles.²

An expedition by boat under the command of Luis Argüello left San Francisco in May, 1817, and sailed up the Sacramento River but came only within sight of the Buttes, the peaks of which can be seen from far down the Feather.³ Argüello's second trip of October, 1821, probably led him no closer to Marysville. From Carquinez straits he marched north overland, encountering the Jesus Maria River (the Sacramento) at some point in what is now Colusa County and returning to San Francisco through the coast region. John Gilroy, the interpreter for this expedition, had been up the valley before, but we have no exact record of his trip.⁴

During the twenty years from 1820 to 1840 the tranquillity of the Californian government was periodically disturbed by visits of trappers coming both from the north and east.⁵ It is known that McLeod, Turner, Ogden, Young, Wolfskill, Walker, Nidever, Kelly, Laframboise, and many others passed up and down the Sacramento Valley into Oregon or over the Sierra; but we have almost no records of their trails.

In August, 1839, John A. Sutter and his coterie followed up the Sacramento River to explore the indefinite grant which Alvarado, the California governor, had promised and which was to be located at Sutter's discretion. In order to view all possible sites, he continued up the river in his pinnace after passing the present location of the city of Sacramento. But he sailed north into the Feather instead of bearing west into the Sacramento as he intended. Thus he reached a point "some fifteen miles" from the junction before returning to the mouth of the American, which distance, if accurate, left him yet five or six miles below Marysville.⁶ The following year, however, Sutter made the second recorded visit to the present site of Marysville.

Sutter's exploration of the Yuba country came to light in an indirect manner ten years later. In the summer of 1850 the first State legislature, being desirous of giving appropriate names to the recently designated counties, appointed M. G. Vallejo as chairman of a committee to prepare a "Report on the derivation and definition of the names of the several counties of the State."

Vallejo's report is responsible for the generally accepted origin of the name Yuba. It was stated that an exploring expedition of 1824, finding the banks of the river loaded with wild grapes, had called it Rio de las Uvas, and that Yuba was simply an English corruption of the Spanish word. The *Marysville Herald* of August 13, 1850, printed extracts from Vallejo's report to explain to the settlers the origin of the name of their county.⁷ Captain Sutter, who was then living at Hock Farm, wrote a letter to the editor denying the accuracy of Vallejo's report. He declared that the expedition of 1824 had come no farther north than the mouth of the Feather and had neither seen nor named the Yuba. And he concluded his letter by giving his own account of the naming in the following words:

... In the year 1840, I started with a party, on an exploring expedition up the valley. Little was then known of this country above the mouth of the Feather River. I found along the valley many Indian tribes. I was particular to inquire of each tribe the name by which they were known, and many other important matters, which I carefully noted down in a book kept for the purpose, together with the situation of the rancherias of each. The tribe I found at, and which still remains at the old ranheria at Yuba City, informed me that the name of their tribe was Yubu (pronounced Yuboo). As this tribe lived opposite the mouth of the river from which your county takes its name, I gave that river the name of Yubu, which it has ever since borne. Hence, you discover that the river does not derive its name from the Spanish name of the "vines which shroud its banks," nor is the name of that river Yuba or Uba, as my friend Vallejo supposes, but Yubu which cannot be derived from "Uvas."

Yours truly,

J. A. SUTTER⁸

In this letter we have the claim of the first visit to the site of Marysville, although it is really the second recorded one; but it is quite possible that others of the many travelers up and down the valley may have passed over the spot.

The point of more than passing interest is the similarity of Sutter's designation of the Yuba, pronounced, as he says, "Yuboo," and Smith's naming of the Feather River, Yaloo. In the mouth of an Indian the same word may have sounded differently to Sutter and to Smith. Sutter may have been responsible for the transference of the name from one stream to the other, but there can now be no doubt that Yuba as a place name is of local Indian origin.

FEUDALISM ON THE YUBA

Permanent settlement on the delta between the Yuba and Feather rivers was the result of Sutter's policy of encouraging feudatories to occupy and exploit sections of his grant. The senior pioneers of Marysville were two of Sutter's German vassals, Charles W. Flügge and Theodor Cordua. The former had come to California with the Bartleson company overland from Missouri in 1841⁹ and was in the employ of Sutter at New Helvetia when Cordua arrived in 1842. These two immigrants leased land which included the present site of Marysville from Captain Sutter and set themselves up as the first rancheros

on the Yuba in the fall of 1842. Flügge retired from the partnership after a few months; thus the next eight years' history of this community can best be told as the personal narrative of the remaining partner's struggle to establish his old world economic system at that location.

After a sojourn of twenty-five years as international merchant in Holland, Africa, Batavia, South America, and Hawaii, Theodor Cordua, a native of Laage in Mecklenburg, landed in Monterey, California May 20, 1842.¹⁰ He had brought with him a stock of merchandise with the intention of engaging in some kind of trading; but after visiting Sutter's Fort at "Nova Helvetia,"¹¹ he conceived the plan of setting up as a farmer. In spite of his reluctance to become involved with Sutter, for whom he very early developed a dislike, he was persuaded by Flügge, his compatriot, to settle on a part of Sutter's grant. The result was that he and Flügge (the latter as a special kind of partner as will be shown presently) and Sutter concluded a very interesting, simple, and mutually profitable contract.

Sutter, as the party of the first part, received \$8000 worth of Cordua's merchandise, which was much needed by the former and of little use to the latter. In exchange Cordua was to receive wild and domesticated cattle and horses which Sutter was not yet able to deliver and which Cordua was not yet ready to receive. Sutter was to secure this live stock from the retiring Russians whose moveable capital he had just purchased on generous deferred payment terms. As a place to keep the animals Cordua was to have the use for nine years of that portion of Sutter's grant which lay north of the Yuba and east of the Feather. If Cordua chose to leave the land at the end of nine years, Sutter was to pay him for any buildings which might have been constructed. So it appears that the lessor's real profit was the immediate use of the merchandise which was paid for with land and animals which were supplied by the Mexican government and the retiring Russian colony at Bodega and Fort Ross. Moreover, for good measure, the captain gained a buffer neighbor between his post and the northern wilderness.

Cordua, as the party of the second part, surrendered his \$8000 worth of merchandise which at the time was equal to, if not better than, cash. But if he had set up as a trader and profited from the sale of the goods, his enterprise would have been limited or delayed until he could have secured more goods from distant sources. As it was, he secured increasing goods for static goods. His live stock would inevitably multiply and grow more valuable even at a very low unit price; and there would be no cost of production because he was to have free use of the natural resources of his lease for at least eighteen years. The only cost of the second nine years' usage was to be the forfeiture of buildings to Sutter as the lessor, and the only condition which was to affect Cordua's prosperity was his ability to liquidate a portion of his products and convert their value to consumption goods and labor necessary to maintain his rancho. How he succeeded in fulfilling this condition will be noted later.

Flügge anticipated the rôle of the modern entrepreneur or promoter. He probably did not become a party to the contract with Sutter, but was to have been Cordua's partner in the ranching business and was to have received half the profits. However, he became either impatient or pessimistic and after a few months, having nothing invested, simply withdrew, leaving Cordua alone with his animals and Indian subjects.¹²

After applying to the Mexican government for a private grant of seven leagues lying just north of his lease,¹³ Cordua assumed control of all that territory which is wedged between the Feather and Yuba rivers and the Honcut creek and bounded on the northeast by the foothills. To this entire district he gave the name Neu-Mecklenburg, hoping, as he states, that he would be able to "share" it with his fellow countrymen. Just what he meant by this word "share" is not known, but very probably Cordua, the veteran trader, envisaged his grant inhabited by thrifty German farmers from whom he would collect quit-rents and for whom he would serve as banker and commission merchant to the exclusion of other traders. As for the natives within his grant, there is no question that they were to enjoy a semi-feudal protection and discipline. He understood that he could consider them as his subjects, limited in their relations with all other inhabitants.¹⁴ But if we can accept his own statements, his relations with these native subjects were benevolent. He gave them employment and paid them in goods which certainly raised their standard of living. He recognized their priority of right to the acorns and grass seed which the cattle and hogs destroyed, and compensated them with dried meat, fresh beef, wheat, corn, melons, and other food. And on one occasion he restored two captives to an enemy tribe which became friendly to him.¹⁵ But he was unable to induce his German compatriots to come to his domain until he was near the end of his venture and then it was too late.

Cordua's struggle to overcome the inhospitable environment of the Yuba-Feather delta region was somewhat heroic. The first three years were spent in establishing his industry. He had first to learn to converse with his natives and to teach them to do the simplest labor. With their assistance he constructed adobe residences, barns and warehouses, put up fences for corrals, gardens, and field crops, mowed and stacked the wild hay, planted and harvested grains and vegetables, and kept his stock domesticated by repeated rodeos. During these years he was not only ranch superintendent and building foreman but housekeeper for himself and his workmen as well as for his many guests.

At the end of these three years he had spent \$15,000 on his ranch and had received no income. But in 1846 he celebrated his first *matanza* by slaughtering two hundred head of cows and steers. With hides at two dollars each, tallow at six cents, dried beef at two cents, and a quantity of soap at twelve and one-half cents a pound the resulting income was about \$2,000, which sum served to pay pressing debts. But the next year brought better times. Having secured the services of several German immigrants he enlarged the scope of

his operations. Hams and bacons were smoked, headcheese, butter, and cream cheese were packed, salmon was smoked, candles were moulded, buckskin trousers and shoes were fabricated, otter and beaver furs were dried, and beef was salted. The *matanza* of seven hundred and fifty animals, the harvesting of twenty-four hundred bushels of wheat, and other miscellaneous crops should have brought enough to give a liberal net income had these commodities been sold at prevailing prices; but there was not a sufficient market.

Cordua was not content to wait for a market to develop; he set about to create one. In 1846 he leased a site on San Francisco Bay in Marin County, a few miles inside the Golden Gate. This small estate was known as Corte Madera. It was to be a station for the victualing of whalers and warships of which a greater number was entering the bay each year. Cordua put up a building and some fences, transferred cows, sheep, hogs, and chickens from Neu-Mecklenburg, and made preparations to produce garden truck. In addition to these fresh meats, dairy products, and vegetables, he would be able to bring from Mecklenburg salted beef and pork, lard, beans, and wheat flour. Thus he would be in a position to supply any victualing demand a ship might make. However, finding that he could not oversee two industries two hundred miles apart, he gave up this station after a year's trial.

Cordua's next attempt to create a market was even more ambitious. Mexico was the logical outlet for his products. But how to transport barrels of meat, hides, etc., from the Yuba River to Mazatlan was the problem. His solution was daring. He proposed to construct a schooner of one hundred and fifty tons at the mouth of the Yuba, load it with Mecklenburg products, sail to Mazatlan, sell cargo and ship, return, and repeat "this annually in a growing scale." Local timber was to be used and iron and rigging were to be imported. Three carpenters and a blacksmith were engaged and preliminary work was begun. But money was necessary to secure the imported articles. The next problem was to secure cash.

On January 17, 1848, the United States Quartermaster, with that portion of the army which had invaded California, asked for bids for one hundred and eighty tons of hay to be delivered at some point on the bay.¹⁶ Cordua presented a bid and received a contract to furnish the hay at \$16.50 per ton. He then sublet a contract to some Americans to deliver the hay at ten dollars per ton; this delivery cost was to be paid with cows (two cows per ton). Consequently, the entire value of the hay would come to him in cash with which he could finance his schooner. The sequel to this hay contract will be noted later.

This discussion of Cordua's efforts to operate a wilderness rancho must not give the impression that he was a recluse or hermit. Of course his language, mannerisms, and portrait suggest Teutonic stolidity; but at least one of his contemporaries called him companionable. He was fond of playing whist, was a good player, and spoke excellent English. His frequent trips to New Hel-

vetia and San Francisco, after these settlements became more urban, were occasions both for business and recreation.¹⁷ The nature of his business is suggested by advertisements which are to be found in the newspapers of 1848. Mellus and Howard in the *California Star* of May 20, 1848, announce that they "have just received from the Sacramento valley a quantity of Fresh butter, Hams, Bacons, flour, and corn." And W. H. Davis offers fresh hams and bacon, just received from the Sacramento Valley, at fifteen cents a pound.

After 1846, immigration from the United States increased each year, but there must have been some good reason for Cordua's assumption that many of these American immigrants would want to return to their homes. In April, 1848, there appeared in the *California Star* an advertisement headed "For the United States." It was signed by T. Cordua who offered to furnish "all persons going to the United States (overland) or to Salt Lake" with good flour, hams, bacon, smoked beef, oxen, steers, and beef cattle at reasonable prices. It is interesting to note here that he offered the flour at San Francisco prices even though he had to transport the wheat nearly to San Francisco to a mill and return the flour to his ranch. But the San Francisco price of eight dollars per hundredweight left him a profit of six dollars for going to the mill. For information regarding these commodities the reader was referred to Mellus and Howard at San Francisco or to "the undersigned at my farm at Neu Mecklenburgh, centre of the Sacramento Valley and near the road to the United States."¹⁸

This travel up and down the river necessitated by the disposal of his products, and the evidently increasing travel of others up the valley, tempted Cordua to undertake another enterprise. In May, 1848, he announced a "New Mecklenburg and San Francisco Packet." He proposed to run a monthly launch between New Mecklenburg and San Francisco touching at Nicolaus Altgeier's, the Embarcadero at Bear Creek, Mr. Hardy's at the mouth of the Feather, Sutterville, Brazoria, Montezuma, and Benicia City.¹⁹ This launch, which was a large row boat manned by twenty-five Indians, was to serve for both freight and passengers. And as an added inducement to travel a "horse wagon" service was arranged to connect at New Mecklenburg and continue north to Daniel Sill's place in the Upper Sacramento Valley.²⁰

The discovery of gold in California brought about the same results to New Mecklenburg as it did to New Helvetia. The same pathetic story of Sutter's numerous industries being deserted by his workmen and thus allowed to deteriorate could be repeated in the case of Cordua. The latter had known of the gold discovery near San Fernando in 1842, and in March, 1848, while visiting at New Helvetia he was shown some of the newly-mined gold from Coloma. He was not very much impressed, for he assumed that the American River mines would be of no greater importance than those in the southern part of the province. But the next month when he went to San Francisco "to fetch the twelve hired Americans" who were to prepare the contracted hay

and deliver it to the United States Army, he received his first set-back due to the gold discovery. His American hay contractors had joined the rush to the American Fork. He employed other workmen but at a higher wage, and these men did not remain at work long enough to deliver all of the hay. He and his twenty-five loyal Indians labored from April to June and were able to deliver only three-fourths of the tonnage. As a result he made no profit.

During the month of June, 1848, gold was discovered at several places on the Yuba River by as many parties simultaneously. The intelligence spread rapidly and many prospectors swarmed up from San Francisco and over from the American River. At the end of the month when Cordua returned from his hay project, he found only his American overseer and a few Indians left at the rancho. Eight of his skilled artisans had gone to the diggings. His ship-builders had ripped up floors and constructed gold washers. And five thousand bushels of wheat had been ruined by the cattle and the rain, and wheat was to sell for six dollars a bushel that fall! Many gold seekers stopped as guests and imposed on the traditional hospitality. Others stole cattle for meat to take to the mines. An animal would bring sixty dollars at the diggings fifteen or twenty miles away, but there was no one to help to drive and to slaughter them. The owner of a vast amount of land, abundant crops, and thousands of animals became the proverbial chained master. He was afraid to leave his wealth but could do no more than guard it and watch it diminish. He concluded that he needed a partner. But before continuing with Cordua's story we must account for the presence of a young Frenchman who was to take an important part in the history of New Mecklenburg.

Charles Covillaud was born at Cognac, France, November 22, 1816, where he learned and followed the cooper's trade. At the age of twenty-five (in 1841) he came to America as an immigrant, landing at New Orleans where he lived for two years. In 1843 he went north to St. Louis, Missouri, and later to St. Joseph where he engaged in a trading enterprise. He and his partner, Claude Chana, a native of Burgundy, dealt with the Indians and trappers. In 1846 these two partners joined a party of trappers who were coming overland to California. They arrived at New Helvetia in the summer of 1846, and in October of the same year Covillaud came to Mecklenburg to make pork barrels for Cordua, for whom he worked until he was no longer needed in December 1847.²¹ In June, 1848, he was among the first to mine on the Yuba, after discovery of gold there, where he secured and operated a good claim.

By October, 1848, Cordua, despairing of being able to operate his rancho alone, took Covillaud in as a partner, not only because the latter had worked for him before but chiefly in order to secure an interest in the latter's mining claim, which was not valued particularly for its gold but rather as a place to slaughter and sell beef. Consequently, Covillaud became owner of half of all of New Mecklenburg giving in exchange a half interest in the claim and \$12,500 in gold dust.²² In addition to mining he had organized a profitable

trade with Indians who were mining—trading merchandise for their gold. This trade also became the property of the partnership. But the German and the Frenchman were not compatible as partners although they were in an excellent position to prosper with their combination of interests. It is not possible to know which one was at fault, but the association became so uncomfortable for Cordua that he decided to sell his interest. He blamed the character of his partner for his withdrawal but also admitted that his title to the land was doubtful.²³ At any rate, on January 4, 1849, he transferred his interest to two other immigrants for twenty thousand dollars. Thus, the first settler on the site of Marysville withdrew and went down the river in February, 1849, with three hundred pounds of the Yuba's finest gold but with tears in his eyes.²⁴

The story of these first six years' history of New Mecklenburg contains a lesson in elementary economics both enlightening and disillusioning. Cordua had labored six years and had in his possession seventy-five thousand dollars of wealth, a fair showing even for that golden era. But he had really left his wealth behind in the possession of persons who had created very little wealth as he had done. They had given him gold which they had found but which was of no use to him until he might exchange it again for usable wealth. His first impulse was to take his gold to Europe where he could exchange it for comfort. But he found no opportunity to go to Europe. Besides, there was a great hazard in carrying three hundred pounds of gold on a long sailing voyage. And more serious matters were old pending debts from a previous commercial failure and the 1848 revolution which was then spreading throughout Europe. It was hazardous to hold gold in California in those days, and some of his was stolen. The only alternative was to invest as soon as possible in some promising venture. New towns and trading were the most popular investments. But the very presence of the gold in the country made these enterprises hazardous. Land was given fabulous values, and trading was at the mercy of restless employees who sought a more direct way to secure gold than wage employment. To these hazards Cordua fell a victim and lost most of his gold. When he managed finally to reach Europe very little of his wealth remained, and had he not died a very few years later probably he would have died a pauper. His successors who bought and sold his interest in New Mecklenburg, in all likelihood, enjoyed little more of their wealth than he had; excepting only Covillaud, who retained at least a portion of the land and who died in comfort in Marysville leaving his family financially independent.

NYE'S AND FOSTER'S TRADING POST

From the fall of 1842, when Cordua first came to the Yuba, until 1845 he was the only settler north of Bear River with the exception of those resident employees of Sutter at Hock Farm. But from 1845 to 1848 he was entirely surrounded by neighbors including both agriculturalists and miners. Some of

these neighbors were to play important parts in the continuation of the Mecklenburg venture. Those on the north, such as Charles Roether, Thomas Fallon, and Edward Farwell on the Honcut, and Charles Flügge and Nicolaus Altgeier to the west on the Feather, had little or no direct relation to the upbuilding of the Marysville community. But many of those who settled on the south bank of the Yuba, and also many of those miners who opened the diggings up the river, took part in the founding and settlement of the town.

George Patterson, an Irish sailor who had deserted the ship *Columbia* in 1840 and had worked for Sutter in 1845, secured a lease of land and settled on the south bank of the Yuba just a little north of the point opposite Cordua's houses, or what is now the foot of "D" street in Marysville.²⁵ The same year one Jack Smith, also a sailor deserter in the employ of Sutter, was given a lease of land bordering that of Patterson on the northeast.²⁶ Patterson's rancho and Smith's land later became the town and district of Linda.²⁷ Two years later Michael C. Nye came to the Yuba. He had crossed the plains with Bidwell in the Bartleson party of 1841. After working for Sutter as manager of Hock Farm and for Cordua as majordomo at Mecklenburg, he purchased a piece of land from Sutter west of the Smith lease. Nye and Smith thereafter operated their two cattle ranches jointly.

These river settlers lived in very crude shelters made of willow poles set on end in the ground, wattled together with smaller twigs and then plastered with mud both inside and out. Stout timbers were made to span between the walls to form a roof structure which was thatched (more or less water tight) with tules from the sloughs. But Nye had to have a better dwelling because of his family. He had just married Mrs. Harriet Pike whose husband had died while they were crossing the plains with the famous Donner party. Besides his wife, he had with him his infant step-daughter, Naomi Pike,²⁸ and his thirteen year old brother-in-law, William G. Murphy who was to have a long career as a prominent citizen of the future Marysville community. Assisted by young Murphy, Nye constructed a two-room house of adobe brick walls with a cottonwood shake roof and a sun-dried mud-tile floor.²⁹

In the meantime, Patterson had purchased a portion of the Smith lease which he sold in 1848 to Theodore Sicard, who likewise took a prominent part in the founding of the city. This French sailor had left his ship in 1833 and was the pioneer of longest residence in California of all who settled on the Yuba. After working in Monterey and at the San Pablo rancho, he came to Hock Farm in 1842 where he did carpentry work for Sutter, sawing by hand from cottonwood timber what were probably the first boards and joists used north of New Helvetia. In 1844 he secured a grant on the south bank of the Bear River opposite Johnson's rancho where he remained until he came to the Yuba in 1848. During the rush up the river in 1848 he mined and traded at a place which still bears the name of Sicard Flat, and where he amassed a sum of liquid wealth which was to allow him to take an active part in town building as will be noted later.³⁰

William Foster likewise came to California with the Donner party. His wife was a Murphy and sister of Mrs. Pike and of young William already mentioned in connection with Nye. The Fosters lost their infant son in the mountains, but both were among the survivors who reached New Helvetia in the spring of 1847. After helping with later relief parties which rescued other members of the unfortunate company, Foster went to San Francisco where he operated a furniture store until April, 1848, when he moved to the Yuba. He purchased the remaining portion of the Smith place and became neighbor and partner of his brother-in-law Nye in the cattle business.³¹

At Christmas time in 1848, Charles Covillaud married Mary Murphy, a sister of Mrs. Nye and of Mrs. Foster and like them a survivor of the Donner party. It was but natural then that when Cordua determined to sell, the three brothers-in-law, Nye, Foster and Covillaud, should undertake to control and manage what looked to be a promising venture—cattle range, grain and vegetable farm, gold mine, trading post, and miners' supply service. Cordua's deed to them is a curious example of confusion of formality and informality.

Know all men by these presents that I, Theodor Cordua of New Mecklenburg, Sacramento District, California in consideration of Twenty thousand dollars to me in hand paid by Michael C. Nye and William M. Foster of Sacramento District, California at or before the ensealing and delivery of these presents the receipt whereof I do hereby acknowledge Have granted bargained sold and confirmed and by these presents Do bargain, sell, and confirm unto the said Michael C. Nye and William M. Foster The undivided one half of all the lands leased to me by Capt. Sutter situate upon the Juba and Feather Rivers All the undivided one half of all the lands granted to me by Manuel Mitchaeltorano situate upon the Honcut. . . .

The deed goes on to describe minutely the animals and improvements which are to go with the land, not in numbers but classifications. It is signed January 4, 1849, by "Th. Cordua. . . in the presence of us M. Atkinson, Samuel Neal, Thomas McKay."³²

Nye and Foster put into the pool their land and stock which they owned on the south bank of the Yuba, and the three brothers-in-law became equal partners, each owning one-third of the large and varied enterprise. The partnership was to be known as Covillaud and Company, but inasmuch as the three owners managed different sections of the estate, a confusion of names soon arose. New Mecklenburg became Nye's Ranch to the newcomers, but the old names still prevailed in the habits of many. In March, 1849, a correspondent writing to the *Alta California* reported that "On the Juba river March 17 a number of citizens of Mecklenburg district met to deliberate on the subject of organizing a provisional government, elected delegates. . . ."³³ The writer of a letter, signed "B," to the editor of the *Placer Times* in May, 1849, in describing his trip to the "Juba" mines notes the fact that to reach the diggings he had to pass "Qordua's rancho."³⁴ But in July of the same year when a convention election was announced it was stated that "Polls will be opened

at Messrs. Foster's and Nye's post at Yuba River."³⁵ As late as November, at a meeting in Sacramento to consider soliciting the new legislature regarding representatives to congress, among the delegates was one "Dr. Gale of Yuba River" who offered the main motion which led to a resolution.³⁶ So it is evident that there was no agreement on an official name for New Mecklenburg during 1849. The spot where Jedediah Smith had camped twenty-one years before was called variously Cordua's Rancho, Qordua's Rancho, New Mecklenburg, Mecklenburg District, Nye's Ranch, Nye's Landing, Nye and Foster Post, and Yuba River (spelled also Yubo, Jubo, and Juba); the last designation probably included the diggings for twenty miles upstream.

Covillaud continued his trading which he had begun privately in the mines. He opened a store and trading post at Sicard Flat to which he devoted most of his time. He was also associated with Eugene Fajard in a business in Sacramento. They operated as Covillaud, Fajard and Co., wholesale and retail general merchants, on J street between Second and Third.³⁷ But this venture was private and independent of the partnership. Foster, who had also been among the first prospectors up the Yuba in 1848 and whose name was given to what is still known as Foster's Bar, represented the firm at that place where he operated a post and store similar to the one at Sicard Flat. Nye remained at the ranch where he managed the agricultural industries and operated the original post which Cordua had opened in 1846.

It is not surprising that the site of Marysville was generally called Nye's Rancho because of his prominence and presence there. But just why the store and post at this place did business as Nye, Foster, and Company, excluding Covillaud's name, is not clear. The evidence of this exclusion, as well as an illustration of the diverse stock of goods carried, is to be found among the collection of relics and documents belonging today to the local Marysville parlor of the Native Daughters of the Golden West. There is an itemized bill of purchases from Nye, Foster & Co., cr. by Joseph Yuttan, dr. The list includes pants, bread, brandy, picks, tea, salt, pickles, ink, paper, tobacco, quinine, pills, seidlitz powders, calomel, cocoa, and crackers. The value of these commodities totaled three hundred and twenty dollars but the buyer was given "credit on mare \$75." and owed the balance.³⁸ Another statement from the same firm, cr. to Messrs. Clyne & Brown, dr., charges "sundries \$1188.00" but carries a "credit by dust \$288.00" leaving a balance of nine hundred dollars.³⁹ These brief examples suggest the type of trading with miners going to and fro from the bars, and the figures are generous and indicate a brisk, profitable business; but those were restless days, and even these relatives were not long satisfied with their partnership. On September 27, 1849, M. C. Nye and William Foster signed a conveyance by means of which for consideration of \$30,000 they sold to Charles Covillaud all their right to the "premises" which Cordua had deeded to them on January 4.⁴⁰ Covillaud thus became sole owner of Nye's Rancho, but he was soon to share it with others whose arrival must now be accounted for.

During the months from the discovery of gold on the Yuba in June, 1848, until September, 1849, there came through Mecklenburg hundreds of men attracted by the lure of the rich river bars. Most of these left no record of their coming or going and most of them soon departed. A few of them, however, after more or less success in the mines, turned to other affairs and remained long enough to help build the town and county, some even spending the remainder of their lives in the community. It seems not inappropriate at this point to identify a few of these settlers to whom, although their contributions may have been slight, we shall have occasion to refer later.

Reference has already been made to Claude Chana. He was born in Rouen, France, in 1811. In 1839 he came to America, landing in New Orleans where he followed his trade of cooper. Two years later he moved north to St. Louis and thence west to St. Joseph, Missouri, where he operated a frontier store and trading post. The fact that he and Covillaud became partners at St. Joseph and in 1846 came together to California has been stated. Chana came to California with plans to continue trading with Indians but evidently had been misled regarding this opportunity because he went to work at New Helvetia making barrels and tanks for Sutter. In 1847 he purchased the Nemsha grant on the Bear River from Theodore Sicard which he later developed into extensive orchards and vineyards. He was in Weber's hotel in San Jose one day of February, 1848, when a customer offered some gold dust in payment for a drink at the bar. He returned home at once, and as he came through New Helvetia Sutter verified the rumor about the discovery. The next month, May, he organized a prospecting party at his ranch which worked southeast from the Bear. On May 15 he discovered gold in the Auburn Ravine near the present settlement of Ophir. Later in the spring he came to the Yuba and mined at Rose Bar where he made a generous amount of money, some of which he was later to invest in lots in Marysville.⁴¹

John Rose was born in Leigh, Scotland, March 17, 1817. He became a sailor and ship's carpenter. At the age of twenty in 1837 he left London on his longest cruise which eventually landed him at San Blas in Mexico, whence he came to Yerba Buena in October, 1839, on a Mexican hide and tallow trading boat. After cruising up and down the Pacific Coast for four years he settled in Monterey in 1843. The next year he moved to Yerba Buena where he was associated in a ship-building business and helped to construct some of the first vessels built in California. During his four years of residence in the San Francisco Bay town he became a Mexican citizen, served as a member of the town council, was the town's treasurer, was a corporal in the *defensores* or local guard, and held the rank of lieutenant in the Sanchez campaign. In the spring of 1848 when gold was discovered, Rose was working with a crew of carpenters on a grist mill for Vallejo. His workmen wanted to leave immediately when they heard of the discovery, but he induced them to finish the job by promising to take them to New Helvetia in a wagon as soon as the mill

was finished. He not only brought them to Sutter's as he had bargained but continued on to the American River in June. There they heard of the strike on the Yuba. In July the party moved north and discovered gold at a place which is still called Rose Bar.⁴² Rose and his partner, Reynolds, mined and kept a supply store at the Bar where they amassed the gold dust which was to allow them soon to join the group of promoters at Marysville.

William J. Reynolds was an English sailor and ship carpenter who first came to the coast of California in 1839. He left his ship, the *Index*, and settled in Yerba Buena in 1843, where he was naturalized as a Mexican citizen, served as corporal in the *defensores*, and became associated with John Rose and John Davis in the ship constructing business. He worked in the Napa valley during 1846 and made visits to New Helvetia. He was familiarly known as "Chino" Reynolds. In 1848 he was working with Rose on the mill for Vallejo and came with the party to the Yuba. He and Rose were partners in the mine, store, and in the subsequent real estate promotions until the dissolution of their partnership in 1850.⁴³

A third partner with Rose and Reynolds was George D. Kinlock, a native Californian, born in Monterey of Scotch parents who had come to the coast in 1830, the year of their son's birth. He was the first child of foreign parents born in California. After being educated in Honolulu in the mission schools of the Catholic friars, he returned to California at the age of eighteen just in time to join Rose and Reynolds in the enterprise already described. In the spring of 1849 these partners purchased from Covillaud, Nye, and Foster, the land which Nye and Foster had purchased from Smith and Patterson and also that which Sicard had secured from Patterson. They continued the cattle business as a source of meat supply for the miners, which they sold through the store at the Bar. Reynolds kept the store, Kinlock operated the cattle ranch, while Rose purchased supplies in Sacramento and San Francisco and looked after their transportation.⁴⁴

William H. Parks was born in 1824 in Lake County, Ohio. In the spring of 1849 he came to California overland; arriving at Rose Bar, he helped to construct a dam across the river at that point to facilitate mining during the dryer months. He also set up a store at the Bar and in December and January operated pack trains from Marysville to carry supplies to the diggings. He was active in the new town only during its first few months after which he became interested in the upper Yuba country and was one of the pioneers who founded Downieville. But he later returned to Marysville where he had a long and prominent political career, becoming one of the town's most noted citizens, second only to Stephen J. Field.⁴⁵

Jean Baptiste Rouelle was a French Canadian who had worked west as a trapper in the thirties. He made his way over the Rocky Mountains and to the south as far as New Mexico, whence he came into the southern part of Upper California in 1841. While in New Mexico he had learned something of

gold mining and evidently had become a sort of prospector because he was among the miners in the San Fernando Valley in 1842, and has even been named as discoverer of California's first gold. But the Placerita diggings did not pay big returns; so Rouelle turned to agriculture. In 1847 he moved north and secured a lease from Sutter to operate a piece of land between Patterson's and the Feather, and on the south bank of the Yuba River. This Canadian seems to have been the most versatile husbandman of the several river dwellers for in addition to the customary cattle and grain he produced truck crops and melons. As a result of these crops his ranch was known as "Sutter's Gardens." In the fall of 1848 Rouelle sold his holdings to a Frenchman named Monet, and we have no further knowledge of him.⁴⁶ It is remarkable that he should have remained indifferent to and ignorant of the rich bars a few miles above his ranch—he the veteran of San Fernando.

In April, 1849, there came to Nye's Rancho two men who had recently arrived in California from Chile, and who were to become active promoters of the new city. At present our records give us no information about the previous careers of these very interesting individuals. One of them, José Manuel Ramirez, was a Chilean by birth; and the other, John Sampson, probably a native of Great Britain, accompanied Ramirez from Chile where he had resided for a time. Of the two, Ramirez appears to have been the leader and the more prominent. It is quite probable that they came with plans to extract gold on a large, if not on a semi-feudal, scale for they brought with them a following of some thirty Chilenos who were decidedly, but to an unknown degree, dependant and subordinate. They also brought a stock of merchandise including flour, potatoes, onions, and other dry foodstuffs which they stored in San Francisco and at Nye's Rancho until they located permanently.

Ramirez and Sampson became impressed by the possibilities of Mecklenburg as a supply city for the mines, but they exercised a conservative caution characteristic of few, if any, of the speculators of the time. They proceeded to make a rather thorough survey of both the Yuba and Feather rivers, spending the months of April, May, and June, 1849, exploring and digging while others were waiting for the water to go down.⁴⁷ A traveler who journeyed up the Yuba in May described a camp which may well have been that of Ramirez and his subjects. "We came to a Chilean camp where a half naked servile class work under the eyes of masters, some picking the earth, others bearing it in baskets on their heads to the water's edge to the machine. Half leg deep in water others dash water on the dirt as it is thrown into a sieve while others jerk up and down on a lever. . . . Few Americans are disposed to work during the high water. . . ."⁴⁸ After returning from their exploring expedition they continued to mine on the lower Yuba where they secured the necessary gold to become part owners of Nye's Rancho.

There are other pioneers of this feudal period who have left us little more than their names, which names arouse the interest of the student. Samuel Neal,

a discharged soldier of Frémont's exploring company of 1844, had a lease on Butte Creek and came frequently to Mecklenburg on business and for recreation. Adolph Bruheim, the veteran mail-carrier, worked for Cordua as did the two German immigrants from Baden, Mr. and Mrs. Kunzen. But of the following pioneers we know no more than that they were here: M. Atkinson, Thomas McKay, George Stanhope, Lewis Corzell, Frank Bates, M. R. Alderman, William Morrison, Emanuel Nye, J. M. Ordenes, and Pedro Brito.⁴⁹

THE INDIANS OF THE YUBA

Some account should be given of the Indians who by residence belonged to the site of Nye's Rancho. It has been stated that Cordua dealt fairly well with his Indians. In October, 1847, a correspondent writing to the *California Star* declared that the Indians on the Yuba could use the axe and crosscut saw very well and that they were industrious and could be employed.⁵⁰ And, of course, Cordua was doing most of his farm work with the natives under the supervision of his European employees. There probably were never more than two hundred adult Indians at one time in that part of New Mecklenburg which later became the town of Marysville. But records indicate that by December, 1849, there were no Indians who were classed as permanent residents. Exactly where they went and why they left we can only guess. Inevitably some were exterminated by the newcomers who were not as indulgent as the original overlord. Some of the Mimals crossed the Yuba to the south and worked for the river ranchers. But we know that many of them went up the river to the diggings in 1848. The first miners on the Yuba in 1848, much more than is usually understood, depended upon the natives to do the actual extraction; Foster, Chana, Covillaud, and Sicard all used Indian laborers to secure their first gold, these Europeans merely directing the work and collecting the gold. The natives at first were content to work by the day for negligible wages, but when they learned more about the real value of the gold they began to mine it independently. Yet even then their former employers, who had become traders, secured the results of their labor for a fraction of its value. During the first year of digging on the Yuba an important and profitable part of the storekeeper's business was trading merchandise for the Indians' gold. At least one, Theodore Sicard, according to a traditional story, found a more satisfactory approach to the Indians' "spangle" gold. He became the lover of the daughter of a certain influential tribal chief. This chieftain grew fond of his daughter's lover and was able to arrange, in some unknown manner, for Sicard to acquire \$70,000 worth of gold direct from members of the tribe. After the Indians were banned from the mines which rightfully belonged to them, they disappeared into the hills where today little trace of them is to be found.⁵¹

COVILLAUD'S NEW PARTNERS

Evidently Covillaud had more interests than he could handle efficiently with his three posts at Sicard Flat, Nye's Rancho and Sacramento, because on

October 1, 1849, he was persuaded to sell an undivided one-half to Ramirez and Sampson for \$23,000.⁵² And during the same month he sold an undivided one-fourth interest to Theodore Sicard for \$12,500, retaining only the remaining one-fourth.⁵³ This new partnership at first threatened to be as unfortunate as the first one. It turned out that the recent purchasers had a definite plan for the future of Nye's Ranch which differed from the one which Covillaud soon conceived. All agreed that there must and would be at least one town north of Sacramento which would serve as junction and depot for supplies being sent by water and mule-back to the mines. Each of the partners naturally wanted his ranch to become this junction, but Covillaud wished to do as other promoters had done who had surveyed lots which they offered for sale and who had invited commercial settlers without reservations. Ramirez favored a plan which was typically Latin-American. He proposed that they sell no land but lease only to certain non-competitive businesses and keep for themselves a monopoly of the kind of trade in which they were engaged.⁵⁴ And very probably this latter plan would have prevailed but for certain threats from the rival town builders whose activities must now be mentioned.

Evidently those persons who in 1849 saw the need for a town north of Sacramento were convinced that this town must maintain direct boat communication with Sacramento and San Francisco. And it is further evident that they were doubtful of the navigability of the Feather River by the new river steamers which were then coming into use. In April, 1849, E. O. Crosby and his associates opened a town at the mouth of the Feather which they called Vernon. And a short time later Jonas Spect founded his town of Fremont on the west side of the river opposite Vernon. In October of the same year, Henry Robinson and Eugene F. Gillespie attempted to open a settlement to be called Kearny at the site of the Johnson Rancho on Bear River. But these new settlements had little if any effect on the traffic to the diggings. The so-called launches, many of which were small boats from whaling vessels or patterned after them, loaded at San Francisco and Sacramento and, propelled by Indian oarsmen and the fairly consistent south winds which blow up the rivers, sailed past these embryo supply cities as far as Nye's and Rose's ranches on the Yuba with supplies for the mines. This traffic encouraged a group of merchants and speculators from Sacramento to lay out a town called Yuba City on the west bank of the Feather River opposite the mouth of the Yuba in August, 1849, where two of the promoters, Rolfe and Chever [Henry Cheever], opened a store and offered lots for sale.⁵⁵

It has been stated that Rose, Reynolds and Kinlock had purchased the Patterson-Smith places from Covillaud and his partners. The grouping of the several adobe houses which the first occupants had constructed near the Yuba and the corrals built along the bank gave to them the appearance of a settlement; thus it was that many of the freight-laden launches passed by Nye's and continued two miles farther up the river to discharge their cargoes at

Rose's Rancho. Here also came the first steam-propelled vessel ever to enter the Yuba River. In the summer of 1849, Lewis Cunningham of New York had organized a company of men to come to California. They chartered a ship called the *Linda*, and after a journey around the Horn arrived in the fall at Sacramento. A few of the original members, under Cunningham as manager, continued their association as the Linda Company after their arrival. On their ship they had brought a small scow, a steam engine, and a stern wheel. These three were assembled and a miniature *Linda* was launched at Sacramento. In December, 1849, the company in their new vessel steamed up the Feather and Yuba rivers, investigating and searching for likely business openings. Naturally they were welcomed by Rose at his rancho. They were impressed by the possibilities of the location as a town site and had demonstrated that it was on navigable waters, at least for their miniature steamer. They urged Rose to lay out a town and proposed to purchase enough lots immediately to pay for the surveying. Rose and his partners were at first reluctant, being already engaged in a profitable business and probably entertaining feudal designs similar to those of the proprietors at Nye's. The rumour that these Linda capitalists encouraged a town up the river spread. With this prospect, added to the growth of Yuba City across the Feather, which was an ever-present threat, Covillaud's partners capitulated to him.⁵⁶

THE NEW TOWN IS SURVEYED

During the same month as the arrival of the *Linda*, the partners of Covillaud and Company employed a French surveyor named Auguste LePlongeon to lay out a town on the site of Cordua's headquarters, including his gardens, corrals, and some of his wheat fields. It is quite probable that this French surveyor, about whom we know very little excepting that after he left Marysville he engaged in archaeological work in Yucatan,⁵⁷ was responsible for giving Marysville a plan which is to be found in few American cities founded before 1850. At the water's edge a space had been allotted as a temporary resting place for merchandise between the time when it was unloaded from boats until it could be packed on mule-back. This space was conveniently located beside the group of three adobe houses which were used as the trading post and residence of the proprietors. This unloading space was reserved as a plaza and was officially designated as such. The surveyor, evidently with Paris or some other similar French city in mind, ran a broad street north from this plaza twenty blocks in length to the city limits. At the tenth block on this "Champs Élysées," but which is designated as "E" street, he established a "Place de la Concorde" of octagonal shape which occupied half of four square blocks. This was called Washington Square. Through this square at right angles to "E" street he ran another wide boulevard on which at "J" street he provided a second generous octagonal space with the designation of Lafayette Square. Alas, the succeeding generations of citizens did not respect this

Frenchman's plan; one of these squares today is unkempt and devoted to carnivals and circuses, while the other has been given over largely to the Southern Pacific for a turning "Y" and switching tracks for the industrial area. Three public buildings have been erected on its border but have been backed up to it rather than faced upon it. Only two or three residences have been made to face on what no doubt was designed as a community center. Eight other squares each of an entire block were distributed through the city. Only five of these are maintained, although all of them are yet retained by the city. The greatest tragedy for the city plan was the necessary destruction of the original plaza for the construction of a levee which was run along the waterfront street in later years.⁵⁸

MARYSVILLE INVITES RESIDENTS

In January, 1850, there appeared an announcement in the Sacramento *Placer Times* inviting the public to come to Marysville.

The undersigned take this method of informing the public that the town of Marysville at the mouth of Yuba River formerly known as Nye's Ranch is now undergoing survey and the lots will be offered for sale as soon as the map can be prepared. Persons desirous of visiting this place will find a road passable at all seasons of the year from Sacramento city by way of Norris Johnson's old ranch (now Gillespie's) thence to town. The steamers Lawrence and Linda are also making regular trips twice a week. For farther information inquire of Messrs Covillaud, Fajard & Co., Chas. Covillaud & Co. proprietors, Marysville, Jan. 8, 1850.⁵⁹

But this invitation was largely superfluous. The news that the town was being surveyed, that lots were to be sold, and that the regular trips of the *Linda* and the *Lawrence* had begun early in January, were sufficient invitation for many merchants and professional people already crowding the older settlements. It was estimated that by January 15 about three hundred residents had arrived, most of whom were not miners but persons who proposed to remain in the town and cater to miners.⁶⁰ An unfortunate fact for our present purpose is that these "urban" settlers who came to Marysville during the months of December, 1849, and January, 1850, were about as restless and unstable as the miners who went up the river. And more unfortunate is the fact that there was no recording institution to leave us some sort of directory. The result is that of these three hundred newcomers we should be fortunate to name and distinguish one-third of them from the later arrivals. And of this one hundred we could perhaps identify with some detail not more than twenty-five—the persons who took relatively prominent parts in the formation of the new town. The unknown two hundred of what we may call the "middle draft" very probably passed on soon and made way for the next "draft" (those arriving after February, 1850) about whom we know more and among whom were many who became permanent settlers.⁶¹ The formation of the new town, how-

ever, is the work of this "middle draft," and we can do no more at present than to tell the story stripped of the desirable delineation of their characters.

During December and January and even well into February, 1849, Marysville resembled a military camp more than a town. The only permanent houses were the three adobe structures which stood on "D" street near the river. West of these houses around the plaza were many large tents which served as shops and stores. The plaza was used as a warehouse to receive merchandise from the boats, the goods being covered with canvas until they could be moved to the tents or packed away to the mines on mules. Scattered in the background were a hundred smaller residential tents pitched at first without regard for the streets and lots which bore no distinguishing marks. One of the adobe buildings had been pressed into use as a boarding house where most of the population ate at least one meal a day. A second adobe served as a sleeping hotel. There were no rooms and beds in this hotel; the guest slept in a common dormitory and furnished his own blankets and pad if he carried such a luxury.

Such conditions naturally could not continue with the population increasing daily. In February there was an improvement in the architecture and, as owners found their lots, a more urban order was given the location of tents. Sawed boards sold as high as thirty cents a foot. Some of the progressive shopkeepers put up wooden fronts although they retained for some time the canvas walls and roofs. Those of the merchants who had failed to bring tents used the bolt canvas, which was a staple commodity and which was stretched over frames made of long straight willow poles of which the trees along the banks of the Yuba contained an abundant supply. The standardized and portable zinc house was quickly brought up from San Francisco and erected with a few hours labor. The cost of these shelters was high but rentals were fabulous. In February Covillaud imported a ready-cut wooden house. The materials consisted of 2500 feet of boards and joists, three doors, and three glass windows. The price he paid was one thousand dollars, to which he had to add the cost of labor for erecting and cottonwood shakes for a roof.⁶² Messrs. Colby and Ayres had the distinction of erecting the first wooden house, their material coming up on the *Lawrence* the last of January. This building was ready for occupancy in February.

Better hotel accommodations were demanded; in February two new canvas hotels went up on "D" street—the U. S. Hotel and the City Hotel—with private and double rooms supplied with beds. These were separated by sight-proof but not sound-proof partitions. And simultaneously a half dozen restaurants were established giving more choice of food and service. For the recreation of the residents and transients, James Wharton erected a hasty shelter to house card tables, a few mechanical gaming devices, and a bar. No ordinary tent was large enough for such a popular institution. To overcome this difficulty he set up in a large circle a number of long stout willow poles. These were connected and enclosed with canvas, the whole enclosure also

being covered with a canvas roof. Thus the Round Tent, as it was called, became the town's first house of vice as well as its first place of recreation. This description of the Round Tent, and its successor, after a few weeks, the El Dorado, comes from an unsympathetic observer and reporter, who admits, however, that they were the only places in the new and uncomfortable settlement where any attempt was made to cheer the homesick immigrant. Such musicians and performers as were available were employed to entertain the patrons when not engrossed in gaming and drinking. Our informant states that "any amateur who could torture horse hair and cat-gut into any consecutive sounds reasonably endurable found the gambling saloon a much more remunerative field for his labor than the richest laden placer or gulch." We may therefore conclude that the quality of entertainment was indifferent; but the saloon of this type was a rendezvous, a popular meeting ground for all, from peon to capitalist, "with no regard to distinction of color," appealing even to the "timid son of England who had never before been beyond the influence of his mother's apron strings."⁶³

In spite of the rapid growth described above, it must be pointed out that there was nothing fixed excepting the three adobe structures which belonged to the proprietors. The method of lot-selling was simply a marking and reserving by the purchaser on a map which was presented to all arrivals without discrimination as soon as they embarked and walked up to the adobe which was town headquarters. While there are some deeds dated in January, most of the lots sold were not paid for at once. Consequently, tents and merchandise could have been packed up and moved any time during the first two months of the town's life. There was an intense rivalry between Marysville, Yuba City, Eliza, and Linda during these months, and it was soon clear that only one of the four could survive the game of freezeout. An exact account of the contest indicating the points and factors which finally gave Marysville the decision would be extremely interesting and enlightening but such an account cannot be given for want of record.

During January, 1850, Yuba City had a larger estimated population and more permanent buildings than Marysville; in February the race was close; but in March and April the latter town grew more rapidly and its rival was admitted to be defeated. February 10, John H. Jewett and Horace Beach arrived in Yuba City from Sacramento with their train of pack-mules and a stock of merchandise. They were seeking a place to set up a store and were undecided between the two towns, which are now called twin cities. The choice was evidently not easily made. They deliberated for a week and then swam the Feather River with their mules and settled in Marysville where they were to establish a profitable business.⁶⁴ The bulk of the traffic from Sacramento and San Francisco destined for the mines went up the Yuba. To land at Yuba City meant crossing the Feather, an unnecessary barrier on the road to the diggings when boats from below could reach Marysville as easily as they

could Yuba City; for this reason the latter town was eliminated from the race.

In April, 1849, there had sailed from New Bedford, Massachusetts, a company of settlers bound for California in a privately chartered ship. This was the Kennebec Company which numbered among its members C. N. Bodfish, C. M. N. Cooper, Leander Cox, John Seaward and A. W. Cutts, the last two being destined to settle and become permanent citizens of Marysville. They arrived in San Francisco Bay during the summer of 1849, and from New York of the Pacific as headquarters set about systematically to explore the river country, seeking promising investments. In October a party of them in six small boats came north as far as Nye's Ranch. After an extended expedition up the Yuba on foot, on which trip they located and named Kennebec Bar, they returned in January just in time to be present when lots were being offered for sale and to see the rush to build a town. The proprietors tried to interest them in their towns, but these investors had received a bad impression of the location when they had passed in October and had found scarcely enough water to float their rowboats in the Yuba. Recognizing a need for a town in the vicinity, they arranged with Captain Sutter to start a settlement on the east bank of the Feather a short distance above Hock Farm and about four miles below Marysville. This town, which was to be called Eliza in honor of Sutter's daughter who had recently arrived from Europe, was on deeper water, on the south side of the Yuba, as was one of the main roads to the diggings, and therefore was only four miles more distant from them than Marysville. Many favored Eliza as a winner, and speculation in lots as well as building progressed. It is interesting to note that Theodor Cordua joined the speculators of Eliza, using some of his gold in an endeavor to defeat the hopes of his successors at Mecklenburg whom one suspects he envied.⁶⁵ Fortunately, most of the "middle draft" of Marysville's residents had not seen the low water of the summer of '49, and as long as the merchants had provisions at Marysville the miners and packers preferred to save the four miles; thus Eliza had lots and buildings and even a goodly population, but no trade. It in turn was eliminated.

The rumour of the suggested town at Rose's Rancho had stimulated Covilaud and Company and hastened their decision to lay out the town of Marysville. Now, in turn, the example of the owners of New Mecklenburg determined John Rose and his partners during the month of January to start their town. This place they called Linda in honor of the first steamer on the Yuba, which had honored the site as its first landing place. Claude Chana was among the several opulent miners from the diggings who found an outlet for some of the dust they had accumulated in purchasing lots in Linda. Not only were lots sold, but residents came, and within a few weeks the new town was taking on all the urban characteristics to be found at Marysville. Linda was a serious rival and it is difficult to deduce, as has been done in the cases of Yuba City and Eliza, a plausible reason for its eventual elimination.⁶⁵ By defeating these

three rival towns—Yuba City, Eliza, and Linda—Marysville won the race and became eligible to be a contestant the following summer against Nicolaus, Vernon, and Fremont, the prospective towns down the river between its location and Sacramento.

FIRST LAW ON THE YUBA

During December and January there was no pretense of constituted law enforcement or legal formality at Marysville. Of course, the new town was no more outside the jurisdiction of the provisional courts established by the Department of War than were Sacramento and San Francisco. As a matter of fact the proprietors were habitually addressing themselves in contracts as being residents of New Mecklenburg or Nye's Ranch, Sacramento District, an act which recognized jurisdiction of the district courts. But the district court was slow to extend its functions up the rivers, coming for the first sitting the last few days of January, 1849. Nevertheless, the impression ought not be given, as is done often, that there existed a condition of criminal anarchy. Granted that many Latin-Americans and all natives may not have had much training in citizenship, these persons were far outnumbered by North Americans and Europeans who could be trusted for at least two months to have ordinary respect for the persons and property of others, unless stimulated by extraordinary conditions. What records we have indicate that there were the usual number of petty thefts, a few cases of grand larceny, and a few physical conflicts which were, and were generally so recognized, private affairs between gentlemen, and which rarely became matters for constituted courts. The most annoying and prevalent crime during these months was the appropriation by the hungry immigrant of cattle for food, to which matter we shall refer below. Consequently, it is quite probable that there was a greater need for an agency which could legalize and standardize economic relations than for criminal courts. This conclusion is suggested and justified by the intimate narrative of the beginning of local government as given us by one who played the leading rôle.

Stephen J. Field, born November 4, 1816, at Haddam, Connecticut, was a member of a family from which have come a half dozen persons prominent in United States history. With a background of European travel and law practice in New York City he sailed for California and landed at San Francisco in December, 1849. After a few days of fruitless practice as attorney in that city he joined the movement to the mines in January. He arrived in Marysville, or Yubaville as it was sometimes called (a second choice after finding his first destination, Vernon, temporarily inundated), on January 15, where he was to secure a political foothold from which he was to climb by way of the offices of alcalde, justice of the peace, State assemblyman, State supreme justice, to associate justice of the Supreme Court of the United States. We have what amounts to an admission from Field that he did not really take the new town seriously. He described his arrival in these words:

No sooner had the vessel [*Lawrence*] struck the landing at Nye's Ranch than all the passengers, some forty or fifty in number, as if moved by a common impulse, started for an old adobe building, which stood upon the bank of the river, and near which were numerous tents. Judging by the number of the tents, there must have been from five hundred to a thousand people there. When we reached the adobe and entered the principal room, we saw a map spread out upon the counter, containing the plan of a town, which was called "Yubaville," and a man standing behind it, crying out, "Gentlemen, put your names down: put your names down, all you that want lots." He seemed to address himself to me, and I asked the price of the lots. He answered, "Two hundred and fifty dollars each for lots 80 by 160 feet." I replied, "But suppose a man puts his name down and afterwards don't want the lots?" He rejoined, "Oh, you need not take them if you don't want them: put your names down, gentlemen, you that want lots." I took him at his word and wrote my name down for sixty-five lots, aggregating in all \$16,250. This produced a great sensation. To the best of my recollection I had only about twenty dollars left of what Col. Stevenson had paid me; but it was immediately noised about that a great capitalist had come up from San Francisco to invest in lots in the rising town. The consequence was that the proprietors of the place waited upon me and showed me great attention.⁶⁷

He soon struck up an acquaintance with Covillaud, being able to speak that gentleman's native language. After some conversation he discovered what is yet the most interesting absurdity involved in the founding of the town. Covillaud and Company were bargaining to sell and deliver title to land which they did not yet own. Of course they had dickered with Captain Sutter, who was quite willing to sell his equity for cash, but even his title was uncertain in view of the indefinite provisions of the treaty of Guadalupe-Hidalgo and the subsequent action and implications of the United States Congress. While there was nothing which could be done locally to insure the final action of the federal government necessary to validate titles to the lots being sold, it was agreed, at the suggestion of Field, that the several contracts which had been made locally to transfer the land would have more permanence and weight if given the conventional legal character. Local government was necessary to provide legal foundation; the logical conclusion being that there was need for at least some rudimentary local officials empowered with the existing authority which prevailed in the territory and embryo State. Field began to take the town more seriously as he heard his own sales talk and contemplated the abundance of legal work to be performed.

The proprietors engaged Field to draw a conveyance which would place them in possession of that equity which Sutter claimed in the town site. January 18 the latter came to Marysville and signed the document by which "John A. Sutter, Captain of Hock Farm" sold to Charles Covillaud, José Manuel Ramirez, Theodore Sicard, and John Sampson, all of Jubaville, for \$10,000 all that tract of land included in the territory granted to him by the Governor of California north of "a stream called Juba River," east of the Feather, south of 39° 35' 45", and west of an indefinite line which depended upon an exact survey of Cordua's Honcut grant. The captain's signature was witnessed by

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S. B. Colby, J. Wadleigh and Stephen J. Field, all of the town of Jubaville.⁶⁸

The placing of Sutter's signature to the document of January 18 was only the first of a series of ceremonies which was to make that day a memorable one in the history of Marysville. A mass meeting was held at headquarters, and it was resolved to hold an election that same day to select officers to comply with a general invitation which had been extended to new settlements by the military government, authorizing the establishment of temporary local governments to be patterned after the prevailing Mexican type in the older communities. Field managed to get his name placed in nomination for first *alcalde*, the most important office. His opponent was C. B. Dodson, of Illinois. It was largely a mock campaign of a few hours and the outcome served as a game of chance between the citizens whose campaigning and voting was determined by the wagers made upon the results rather than upon the popularity or merits of the candidates. Field won by nine votes, but if we may believe the claim of William H. Parks, who was in town that day, he could take little credit. Parks bet on Field knowing that eleven of his mule drivers were due to arrive during the afternoon in time to vote; he met them first upon their arrival, determined their votes, won his wager, and incidentally elected Field as first *alcalde*. J. W. Wadleigh became second *alcalde* and Theodore M. Twitchell sheriff.⁶⁹ A town council or *ayuntamiento* was chosen but evidently it was considered to be of little importance because the members of it have not been named for us in even the earliest local records. Field became a one man government.

The final ceremony of the day was a kind of non-partisan rally held in the evening, its purpose being not alone to learn the results of the election but to hear and celebrate the results of the wagers and to collect them. At this meeting occurred a demonstration which in all written and traditional accounts is held responsible for the adoption of the present name of the city. In the original document which was signed by Sutter the name is spelled "Jubaville," and this seems to have been the most popular name at the time. Evidently habit or sentiment, or both, demanded that the new community be named so as to identify it with its past history. The word Juba was liked, and Captain Sutter, the hero of the day, had first used it. But the word had been appropriated six months earlier by the founders of Yuba City, and already there was confusion. The name Sicardoro in honor of one of the picturesque proprietors was a favorite, as was the slightly exaggerated word Circumdoro. Now, according to several versions of this matter, the question of the selection and official adoption of a name was brought before this meeting; and after the champions of the several names mentioned above had spoken in favor of their respective favorites, a gallant gentleman (here the versions vary regarding this gentleman's name) rose and in an impressive and effective speech proposed that the town be named in honor of Mrs. Mary Covillaud, the wife of one of the proprietors and a member of the famous

Donner party; whereupon, the meeting, responding to this gallant proposal and without further deliberation, adopted the name of Marysville.

There is no reason to doubt the substance and even details, excepting the variations, of these versions. And certainly there is no reason to doubt the statement that the city was named in honor of Mary Murphy Covillaud. This last statement was made as early as December, 1850, and a description of the meeting was written in 1855. But unquestionable records show that the town was called Marysville before the meeting of January 18. Perhaps the reader has already noted that the card which Covillaud and Company placed in the *Placer Times*, announcing the opening of the town, which is called Marysville, is dated January 8. Furthermore, there is a recorded deed signed by Charles Covillaud on December 28, 1849, by which he transferred to Eugene F. Gillespie "the moiety or half of Lot 1 Block 1 Range D . . . the west half of the lot fronting 80 feet on D st. by 80 feet deep . . . in the town of Marysville on the Yuba & Feather Rivers."⁷⁰ If we assume that the naming was considered in the meeting of January 18 and adopted there by acclamation, we have also logically to assume that the name had been favored and used by the proprietors, if not selected by them, before the meeting occurred, and possibly was proposed at their request.

As has been stated, Field was the whole government. The town council probably never met and certainly never took any active part in forming policy. The sheriff declined to serve and the second alcalde was a kind of vice president. The first part of February the alcalde began a function which was far more important and permanent than the more spectacular and novel court procedure. He and his clerk, Lorenzo Babb, began to record the various contracts, deeds, and conveyances by which land ownership had been transferred, and on which documents titles had to be based. José Ramirez seems to have been the far-sighted and prudent one of the partners, and as a result of his energy not only were current deeds recorded, but nearly all documents which had been issued during the eight years past were gathered in. And not only were the documents recorded, but those who had signed them and those who had witnessed signatures were brought before the alcalde to acknowledge under oath their former signatures. If a witness or grantor was not to be found, some person was found who could or would verify his signature. As a result of these precautions we are now able to read in the county recorder's office, Cordua's application of 1843 for his grant, his naturalization papers, Sutter's certificate that the land was unoccupied, and the temporary grant from Micheltorena given in 1844. There we can also read the several transfers of lease and grant from Cordua down to the proprietors of 1850. Nearly every conveyance relating to the land south of the Yuba and north of the Bear during the years from 1844 to 1850 can be found. These records together with the many current deeds of 1850 fill nearly a thousand pages, fertile soil indeed, for the historian. This service by Field and his clerk alone would justify the

pains of the recorders even if the titles were made no more secure. For all these recordations Field collected generous fees with which he paid for his lots.

Criminal court procedure in Marysville during February and March is interesting and enlightening to the student and reader but not as novel and original as some writers have tried to represent it. It is usually stated that Field introduced lashing as a punishment, but the precedent was set for him some days before his first criminal case. From January 24 to 28 Judge R. A. Wilson held a session of the criminal court of first instance of the Sacramento District at Marysville. The cases were complaints against individuals for cattle stealing. Several cases were tried but no conviction was secured because the accused were able to prove that they had killed only unbranded cattle, while the complainants could not prove that the unbranded cattle were their property. The court evidently chose to dismiss the first cases until the law could be more clearly defined, and particularly until some definite authority was set up to enforce a punishment in case of conviction. A warning was published in the *Placer Times* notifying all persons that thereafter the taking of unbranded cattle would be held criminal and punishable. It was further stated that the court had been authorized to call on the commandant of United States troops stationed at Camp Far West on Johnson's Rancho. This notice was signed by Field as alcalde and the clerk of the court of first instance, by order of Judge Wilson, presiding.⁷¹ There are indications that this practice of taking unbranded cattle was not viewed as criminal by the newcomers and that the court was conscious of a lack of unanimous condemnation of this practice.

On January 26, while a case between the People vs. Ariel Nelson, George Armstrong, and Michael Watson was being heard by Judge Wilson, an incident occurred which he, in the absence of his clerk, described in the registry book "... one Eli B. Lundy who was under indictment in this court for assault entered the building over the door of which was painted in large letters Court House, while the court was in session, came up to the place where the prisoner Armstrong was seated [Lundy failed to remove his hat] at the side of the Judge and about the same time a number of other persons armed with guns and other deadly weapons entered the said building . . ." Lundy urged the prisoner to escape with him and started to lead him away. When the judge remonstrated "... Lundy used profane language to the person of the judge until the said Lundy was put out of the room by the acting sheriff." Just why the acting sheriff (Robert B. Buchanan who had been appointed to serve for Twitchell)⁷² did not put said Lundy out sooner, and how the party of other armed persons was dealt with we are not told. At any rate the irate judge ordered "that said Lundy receive on his bare back fifteen lashes well laid on and pay a fine of \$400. . . ." In default of immediate payment Lundy was to receive an additional twenty-five lashes. The acting sheriff was to see the order carried into effect.⁷³ Here, then, was the example of a feasible punish-

ment in the absence of a jail and which Field followed with some original variations.

The records clearly bear out the claim for Field that he made his alcalde court efficient. Most of his civil cases were settled to the satisfaction of both parties. When Jacob Chingery complained against his wife, Mary, and charged her with deserting him and absconding with their common property, the record reads "Said Mary brought before the Court. Examined both parties and reconciled them. Costs paid out of deposit and case dismissed."⁷⁴ Most criminal cases were dismissed or quickly disposed of. When the case of people vs. Richard R. Simmons upon complaint of John D. Rowland came before the court, the parties were examined, both were placed under a bond to keep the peace, costs were divided between the two, and the case was dismissed.⁷⁵ When John Rose complained and charged five defendants with stealing his cattle the prisoners were examined, the case dismissed, and the costs paid by the prosecutor, Rose.⁷⁶ March 1, one Gideon Nightingill was arraigned upon complaint of John M. Thurlow and was charged with the theft of a cow, property of the complainant. Upon hearing testimony Field found "mitigating circumstances" (meaning that the defendant needed food and the cow was available) to exist, ordered Nightingill to pay for the cow and the court costs, and dismissed the case.⁷⁷ Nightingill became one of the town's permanent and most respected residents. In similar manner other minor cases were adjusted during the first two months of 1849.

Only three serious cases came before the alcalde's court. These were decided by juries, but it was Field's task to mete out some significant punishment. When James Moore was found guilty of assault with a deadly weapon on Spencer Davis, the alcalde ordered Moore to pay \$200 to cover court costs and cost of caring for Davis's injuries and to receive twenty lashes. If the \$200 was not paid immediately the defendant was to be called before the court again, presumably to receive more lashes.⁷⁸

William H. Johnson and George W. Robinson were indicted by a grand jury and found guilty by a trial jury of stealing a trunk, property of John Gildersleve, from one of the canvas hotels. Evidently the prisoners were not able to pay fines because it was ordered that the sheriff would cause "each of the said Defendants to receive on his bare back one hundred lashes well laid on." It was further ordered that if the defendants were found in Marysville again within two years, a fine, imprisonment, and hard labor would be inflicted. Robinson was stoic; he received his lashes and caused no further trouble. But Johnson called his physician who declared to the alcalde that his patient was not physically capable of receiving one hundred lashes. Field simply ordered the physician to be present at the lashing and limit the number of lashes according to the endurance of the prisoner. After seventy-five "well laid on" lashes the physician intervened and Johnson was excused from the remaining twenty-five.⁷⁹

Field's most ingenious punishment was given one John Barrett who was found guilty (on circumstantial evidence) of stealing a bag of gold dust from Henry Ously at Johnson's Rancho. Charles Smith was authorized to carry into effect the following order:

It is ordered that . . . John Barrett be taken from this place to Johnson's Rancho and there receive on his bare back within twenty-four hours fifty lashes well laid on; and within forty-eight hours from this time fifty additional lashes well laid on; and within three days from this time fifty additional lashes well laid on; and within four days from this time fifty additional lashes well laid on; and within five days from this time fifty additional lashes well laid on. But it is ordered that the four last punishments be remitted provided the said defendant make in the meantime restitution of the said gold dust and contents. . . .

Surely, if the prisoner had received the total number of prescribed lashes and had at the end of the five days of smarting yet declared his innocence, there would have been good grounds to suspect a mis-trial and miscarriage of justice. However, the final notation on the case record solves the mystery. "The sentence executed by the infliction of twenty lashes after receiving which he confessed the theft of the bag containing from twelve to fifteen hundred dollars in gold dust and made restitution of the same."⁸⁰

Besides these functions as judge and recorder the first alcalde made some essential improvements in the streets, walks, and landing wharf; but these matters were evidently attended to in an informal manner because we have no records to give an idea of the extent of the work or the manner of financing it. The best evidence that Field was energetic, aggressive, and possibly arbitrary during his two months' term as town dictator is the fact that when the new county government was organized in April, the alcalde who ordinarily would have been retained in his choice of offices was left out. But the introduction of the county government is really the beginning of politics in Marysville, which topic will be discussed more in perspective as we progress with the general story.

The appearance of Marysville, except in size, at the end of the period of the *ayuntamiento* or town council, April 1, 1850, was not much different from that which has been given. Fifteen or twenty zinc houses had been put up, and there were five or ten all wood structures. There were more wooden fronts to the canvas shops and more residence tents in the background. In all there were about one hundred and fifty houses (canvas, wood, and zinc) and tents enough to accommodate a more or less permanent population of five or six hundred. Three boats, the *Linda*, the *Lawrence*, and the *Governor Dana* were making daily round trips from Sacramento to Marysville. A dozen miscellaneous sailing vessels and launches might have been found at anchor in the river at any one time. The streets, walks, and the landing showed some evidence of improvement, but mud and weeds prevailed everywhere. The essential professional services could be commanded, and the essential supplies

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(excepting fresh produce such as butter, eggs, milk, and green vegetables) for the diggings could be purchased. Very few wheeled vehicles were in evidence, but hundreds of pack-mules came from and departed for the mines daily. But with all, the town was only a busy camp. Urbanization of the settlement came during the following periods while the town was county seat and later an incorporated city. The story of this urbanization will be told in the next chapters.

[To be continued]

ACKNOWLEDGMENTS

With the exception of certain newspaper files and a few references in the State Library, this paper is based on material available in Marysville.

The most valuable single source is the memoirs of Theodor Cordua translated by Professor Erwin G. Gudde and published recently by the California Society in its *Quarterly*. The next valuable piece is a history of Yuba County published by Messrs. Thompson and West in 1879 and written by William H. Chamberlain and Harry L. Wells. This history serves us locally as Bancroft's *History of California* serves the State. And the more I use it and check it the more confidence I place in it. In the City Library is a file of the first year's *Marysville Herald* (August, 1850 to August, 1851), which is indexed and is consequently a ready reference. In the office of the *Appeal-Democrat* is a monumental continuous file from 1859 to the present time, available to students as a result of the hospitality of the owners, but unfortunately not indexed.

Fertile sources for the early period are the county records, especially those in the offices of the Clerk and Recorder, made unusually available by the sympathetic interest of these two officers, Mr. William M. Strief and Mrs. Helen Waste. The Historical Collection of documents and relics belonging to the Marysville Parlor No. 162 of the Native Daughters of the Golden West, housed in the California Room of the City Library, is of great value. And I must mention that Mr. William B. and Miss Elizabeth W. Latham, of Berkeley and formerly of Marysville, have very generously donated to the Marysville City Library the first complete file of the *California Historical Society Quarterly* in Marysville.

One cannot work long at any local history without the assistance of certain individuals who by temperament or profession have come into possession of information not otherwise available. I want to name five of these individuals, not only to credit them with assistance they have given me but also to make them known to others who might need their help. Mr. Edward B. Stanwood, probation officer for Yuba County, is conceded to have more accurate local historical knowledge at his command than anyone. Miss Esther Sullivan, State chairman of history and landmarks and past grand president of the Native Daughters of the Golden West, has been largely responsible for gathering the historical collection referred to in the notes. Mr. H. P. B. Carden, during his career in one of the pioneer banks of the State, has become acquainted with the economic and personal relations of many of the pioneers of the community. Mr. Lou Eichler, of the *Appeal-Democrat* staff, primarily a historian, has recorded thousands of words of rare facts in his column which until recently was devoted entirely to local history. And, finally, I wish to thank Mr. F. H. Bartlett, proprietor of The Yuba County Title Company, who through his study of land title records has acquired an intimate acquaintance with certain details of pioneer history which would not be available but for his interest and generosity with his private indexes.

EARL RAMEY.

NOTES

1. Maurice S. Sullivan, *The Travels of Jedediah Smith*, Santa Ana: The Fine Arts Press, 1934, pp. 70-71.

2. Charles E. Chapman, *A History of California: The Spanish Period*, N. Y., 1921, pp. 423-24.

3. *Ibid.*, p. 430.

4. *Ibid.*, pp. 435-36; H. H. Bancroft, *History of California*, II, 446-48. (Hereafter referred to as Bancroft.)

5. Chittenden, Hiram M., *The America Fur Trade in the Far West*, N. Y.: Press of the Pioneers, 1935; [Watson, Douglas S.], *West Wind, the Life of Joseph Reddeford Walker*, Los Angeles, 1934; Bancroft, IV, Chaps. VI and XIV.

6. Bancroft, IX, 131; *Diary of Johann August Sutter*, Douglas S. Watson, editor, San Francisco: Grabhorn Press, 1932, p. 5.

7. *Marysville Herald*, August 13, 1850. (Hereafter referred to as *Herald*.)

8. *Ibid.*, September 3, 1850. Sutter probably had a secretary write this letter for him because it is far more literate than his diary. Cordua also claimed to have named the Yuba River. Both Sutter and Vallejo are probably mistaken about the expedition of 1824. I have seen no record of it.

9. John Bidwell, "First Emigrant Train to California," *Century Magazine*, November, 1890.

10. Erwin G. Gudde, translator, "The Memoirs of Theodor Cordua," in this *Quarterly*, XII, 280. (Hereafter referred to as Cordua's Memoirs and page numbers in this volume of the *Quarterly*.)

11. *Ibid.*, p. 281. Cordua (or his translator) is the first writer I have read who uses the all-Latin name for New Helvetia. Bancroft called attention to the general confusion and inconsistency of the two words. Bancroft, IV, 133.

12. Cordua's Memoirs. Most of the details of Cordua's venture are taken from his memoirs. Only for very particular statements will specific references be given. In Vol. IV, p. 230, of Bancroft's *History of California* is a "Map of New Helvetia, 1841." On the map at the correct spot is noted "Rancho de Meckleborg." It is accredited to Jean J. Vioget and was made in the early part of 1841. Obviously there is an inconsistency.

13. Deed Book No. 2 (pp. 352-56) in the County Recorder's office at Marysville. The several documents relating to the Honcut grant were recorded in 1851.

14. Cordua's Memoirs, p. 284. He also owed a certain military allegiance to the Mexican Government through Sutter and the governor of California as is indicated by his participation in the campaign of 1845 (pp. 287-88).

15. *Ibid.*, p. 311.

16. *Californian*, San Francisco, March 15, 1848.

17. William Heath Davis, *Seventy-five Years in California*, San Francisco: John Howell, 1929, p. 189. A portrait of Cordua is shown in this *Quarterly*, XII, 4, with his memoirs.

18. *California Star*, San Francisco, May 20, 1848.

19. *Ibid.*, May 13, 1848.

20. Daniel Sill held a sub-lease from Peter Lassen on Deer Creek. Bancroft, VI, 16.

21. References to Covillaud: *Memorial and Biographical History of Northern California*, Chicago, 1891, p. 502; *Marysville Appeal*, February 6, 1867 (obituary); Cordua's Memoirs, p. 299.

22. Liber No. 2 of Deeds, Yuba County, pp. 29-31. This deed was not signed by Cordua until January, 1849. The signature was witnessed by M. Atkinson, Samuel Neal, and

Thomas McKay. Cordua appeared before the alcalde of Marysville and acknowledged his signature March 11, 1850, and the deed was recorded April 6, 1850.

23. Cordua's Memoirs, p. 304. His title to the grant was subsequently approved by the Land Commission and the Federal courts.

24. *Ibid.*, p. 300. Evidently Cordua has been liquidating in anticipation of selling out in order to have the difference between \$32,500 and 4,800 ounces (about \$75,000). These figures are questionable. In his memoirs Cordua did not state that Covillaud paid \$12,500 to become his partner; that fact appears in the deed.

25. Thompson and West, *History of Yuba County*, Oakland, 1879, p. 34. (Hereafter referred to as T & W).

26. Liber No. 3 of Deeds, p. 125. This conveyance from Sutter to Smith transfers three square miles on the southern bank of Yuba River, the eastern boundary being three Mexican leagues due east of the Feather. It was signed by Sutter at New Helvetia, June 1, 1846. The signature was witnessed by John Bidwell and Michael Nye. The document was recorded in Marysville, June 8, 1850.

27. T & W, p. 35.

28. Naomi Pike Schenck died April, 1934, at The Dalles, Oregon. (Miss Sullivan.)

29. T & W, p. 35; *Marysville Appeal*, February 4, 1904 (obituary of W. G. Murphy); *Appeal*, December 2, 1879 (obituary of a brother, Uriah S. Nye, giving family history).

30. Bancroft, V., 719; T & W, p. 35; Register of Marysville Pioneers (in private-possession of Harvey D. Eich of Marysville; copy in State Library); George D. Kinlock was three years old when Sicard came to California. See note 45. Liber No. 2, pp. 35-36. Conveyance transferred to Theodore Sicard the middle square of the rancho known as John Smith's which Smith transferred to Patterson in 1847 with all cattle on the place bearing the mark, triangle P, "together with all calves following the above marked cattle supposed to belong to the above." Sicard paid \$2,000. Patterson who was illiterate signed with his mark "X" October 16, 1848, witnessed by Frank Bates and M. R. Alderman and John Sinclair alcalde of Sacramento District. Bates appeared before the alcalde of Marysville April 5, 1850, and acknowledged his signature. The conveyance was recorded in Marysville April 6, 1850, at the request of Sicard.

31. Bancroft, III, 745; T & W, p. 35; Book I of Deeds, p. 367.

32. Liber No. 1 of Deeds, pp. 135-7. Cordua appeared before the alcalde and acknowledged this deed March 11, 1850; it was recorded April 7, 1850.

38. *Placer Times*, Sacramento, May 12, 1849. Quoted from the *Alta California* of April 24. This is probably the first political activity in the community.

34. *Ibid.*, June 2, 1849.

35. *Ibid.*, July 14, 1849.

35. *Ibid.*, July 14, 1849.

36. *Ibid.*, December 1, 1849.

37. *Ibid.*, January 26, 1850.

38. Document in California Room, Marysville City Library.

39. *Ibid.*

40. Liber No. 1 of Deeds, pp. 137-8. Foster appeared before the alcalde April 2, 1850, and acknowledged his signature, but Nye had returned to the East on a visit (Miss Sullivan); so J. M. Ramirez identified the handwriting of Nye and the witness M. Atkinson, also out of the State. Curiously, Ramirez was an interested party. The deed was recorded April 17, 1850.

41. Bancroft, II, 756; T & W, p. 37; *Marysville Appeal*, May 25, 1882 (obituary); Liber No. 2 of Deeds, pp. 50-52. Chana's farm was ruined by debris brought by floods in

the 60's and 70's. He spent his last years in Wheatland attempting to establish a wine-making industry.

42. Bancroft, V, 381, 704; T & W, p. 36; *Marysville Appeal*, April 9, 1899 (obituary). Rose was a member of the force of 100 men from San Francisco under the command of Captain Marston which went to San Jose on December 29, 1846, to relieve Lieutenant Pinkney who was besieged by the patriot rebel Francisco Sanchez. This story is told by Oscar O. Winther in his "Story of San Jose" in this *Quarterly* of June, 1935, XIV, 149.

43. Bancroft, V, 692 and same references in No. 43.

44. T & W, p. 37; Bancroft, IV, 701; Book I of Deeds, p. 365; references in No. 43.

45. *Appeal*, July 26, 1887; T & W, many references.

46. T & W, p. 32; Bancroft, V, 705; IV, 631. Bancroft quotes Bidwell, from the latter's California, 1841-48 MS, as having stated that Rouelle discovered gold in San Fernando valley in 1842. The same statement is made in Bidwell's *Echoes of the Past*, and in T & W's *History of Yuba County*, which book was written five years before Bancroft's *History of California*. Bidwell's name is listed among the sources in the county history; so very probably he is responsible for the statement in both books. Bancroft also quotes another source for the statement that Francisco Lopez was the discoverer, but evidently, at the time (1884), was not able to name the real discoverer. Although more recent students give Lopez the honor (J. Gregg Layne, "Annals of Los Angeles," this *Quarterly*, XIII, 224-25), and a monument to him has been erected, it is quite certain that Rouelle worked in Placerita canyon.

47. Colville's *Marysville Directory*, 1855, p. iv; *Herald*, December 27, 1850. Sampson died in Marysville in 1851 (Probate file No. 56 clerk's office) but up to the present I cannot account for Ramirez after 1860. On some one or few pages in the seventy-five years' file of the *Marysville Appeal* will be found a notice of the departure of Ramirez and certainly information which we ought to have. Will the first person who finds this notice please send me the date of the issue?

48. *Placer Times*, June 2, 1849.

49. Other students of California history will confer a favor by sending any available information about these pioneers.

50. *California Star*, October 23, 1847.

51. T & W, p. 134 and miscellaneous references.

52. Liber No. I of Deeds, pp. 49-50.

53. *Ibid.*, pp. 51-52.

54. *Herald*, December 27, 1850.

55. *Placer Times*, August 25, 1849.

56. T & W, p. 108; *Appeal*, October 28, 1879, and April 9, 1899.

57. Edward H. Thompson, *People of The Serpent*, p. 10.

58. *Directory* for 1855, p. iv; Bancroft, VI, 463. Mr. H. P. B. Carden called to my attention the French influence in the plan of the city. This year (1935) there has been a contest between a group who proposed to use one of the squares for a building and an improvement club of women who for many years have beautified and defended these squares. A slight irregularity in the lines is said to have resulted from the use of a ship's quadrant for the survey.

59. *Placer Times*, January 19, 1850.

60. *Directory* for 1855, p. v.

61. Our ignorance of this middle draft may not be due so much to the absence of records as to the absence of an accessible tabulation of biographical sketches comparable to and continuing Bancroft's remarkable and valuable "Pioneer Register and Index."

62. Document in California Room, Marysville Public Library.

63. Directories for 1853 and 1855; T & W. This description is taken chiefly from the two directories and the county history, although other isolated statements have been used to form a whole picture which is inadequate however far extended.

64. T & W, p. 39.

65. *Ibid.*, p. 38, 76. Many deeds to and from Cordua transferring lots in Eliza are recorded in Libers No. 1 and No. 2 of Deeds, Yuba County. Thomas Kerr in his journal (this *Quarterly*, VIII, pp. 167-80) has given us an excellent picture of activities at Eliza during the spring of 1850.

66. T & W, p. 43; *Appeal*, April 9, 1899 (Rose obituary).

67. Stephen J. Field, *Personal Reminiscences of Early Days in California* [privately printed, 1893], p. 14.

68. Book 1 of Deeds, p. 1 (copied from the original Liber No. 1). The recording of this conveyance on February 4, 1850, was probably Field's first official act after serving as clerk for Judge Wilson's court January 24-26.

69. The details of this election are taken from Stephen J. Field's *Personal Reminiscences*, which details were recalled to him in the late 70's by various contemporaries who were yet living. He circulated a request to his former acquaintances and received letters from them. There were 231 votes cast. (*Directory*, 1855.)

70. Field, *Reminiscences*, p. 21-26; *Directory*, 1855, p. ix; T & W, pp. 37-41; *Herald*, December 27, 1850; Liber No. 1 of Deeds, p. 47. The card in the *Placer Times* of January 19 could not possibly have been changed to read Marysville after the evening of January 18. It may have been published before the 19th. As several of the January numbers are missing from the files in the State Library it is impossible to determine the fact. One version credits Captain Edward Power of St. Louis with the speech, while another credits it to a Mr. Wadsworth and another to Mr. Washburn. Mr. E. B. Stanwood has in his possession a letter which W. H. Parks wrote to Field recalling the details of these events of January 18. Obviously, Field depended on this letter for his reminiscences.

71. *Placer Times*, February 2, 1850.

72. Register of Suits before the First Alcalde of Marysville in county clerk's office, p. 150. "At an alcalde court held at Marysville on the Yuba on the seventeenth day of February in the year . . . [1850]. Present Stephen J. Field First Alcalde of Marysville Ordered—that Robert B. Buchanon be and is hereby accordingly appointed sheriff of this county for Marysville and vicinity in the place of Theodore M. Twitchell who declines to act as such officer." Here is an interesting presumption in appointing a sheriff for the county by the town alcalde.

73. *Ibid.*, p. 201.

74. *Ibid.*, p. 16.

75. *Ibid.*, p. 100.

76. *Ibid.*, p. 101.

77. *Ibid.*, p. 102. Field also occupied the position of justice of the peace, having been appointed by the court of Sacramento District, but he preferred to function as alcalde. However, the two positions were really one and the same in practice.

78. *Ibid.*, p. 110.

79. *Ibid.*, pp. 104-8.

80. *Ibid.*, pp. 112-17.

CAPTAIN ANDRÉS CASTILLERO, DIPLOMAT

*An Account from Unpublished Sources of His Services to Mexico in
the Alvarado Revolution of 1836-1838*

By GEORGE TAYS

AS THE EARLY MORNING MISTS of November 4, 1836, lifted from over the thickly wooded hills back of the town and spacious Bay of Monterey, the oft-beleaguered capital of Upper California awoke to find itself in a state of siege. Under cover of darkness, on the night of November 3, a revolutionary army of some 125 men, commanded by José Castro and Juan Bautista Alvarado and including nearly fifty foreign volunteers of all nationalities masquerading as American riflemen led by Isaac Graham, had stolen stealthily through the deserted streets and had taken possession of the ruined and abandoned fort, which stood on an eminence several hundred yards west of the crumbling presidio, where a company of fifty-five loyal Mexican officers and soldiers commanded by Governor Gutierrez were quartered. During the day and night of the 4th and early morning of the 5th, negotiations for the surrender of the post were carried on between Castro and Gutierrez. In the meantime, half of the latter's soldiers deserted him and the rebels were materially aided with arms, ammunition, and other supplies, by some eight or ten foreign vessels, especially those owned by Captain William S. Hinckley, which by some strange coincidence had assembled in Monterey Bay at that particular time. The rebels had also received the moral support of Commodore Edmund B. Kennedy, Commander-in-chief of the Asiatic squadron of the United States, who had visited Monterey to make some absurd demands upon the authorities and who had sailed south only four days before, after receiving information about the intended revolution.

The negotiations completed, Governor Gutierrez capitulated at 8 A. M. on November 5, having received full assurances for the safety of the lives and property of himself, his officers and his men. The revolutionists then took formal possession of the capital and on the 7th proclaimed California a free and sovereign state, independent from Mexico, until such time as the federal system of 1824, which earlier in the year had been supplanted by centralism, should be restored. This was done amidst great festivities of rejoicing and resounding *vivas!* to the federation, to liberty, and to the free and sovereign State of Alta California.¹

For over a year previous to the above events, California had been in a state



H. J. Valdez



Juan D. Alvarado



José Castro



Manuel Castro

Four prominent
Californians
who were involved
in the
Alvarado Revolution
of 1836-1838

of political ferment which had finally culminated in the revolt. Just before his death, Governor Figueroa had appointed José Castro to act as ad interim civil governor until such time as the Mexican Government might otherwise direct. The military command he transferred to his second in command and close friend, Lieutenant-Colonel Nicolas Gutierrez, a loyal Mexican officer.

Castro's appointment at once aroused the resentment of Los Angeles and San Diego politicians, who had expected Don José Antonio Estudillo of San Diego to receive it, because, in theory, he was the senior member of the legislature. Therefore they refused to recognize Castro's authority. On receiving notice of Castro's plight, and fearing that the southerners might cause trouble, the national government ordered Colonel Gutierrez to take over the civil command, which he did on January 2, 1836. Early that same year, President Santa Anna converted the federal system into a centralized government with a new constitution and a new set of officials which he appointed.

To California, early in April, 1836, came Colonel Don Mariano Chico, a congressman, as civil governor and military commandant to replace Gutierrez. No sooner did Chico arrive in California than he became involved in controversies with the politicians, most of which were the result of his lack of tact and of his intense loyalty to Mexico. During Chico's stay of three months, California was in a state of turmoil and excitement bordering on open revolt.

On Chico's departure, Colonel Gutierrez again assumed the two offices. He, also, was loyal to Mexico, and when he refused to join the Californians in their schemes it earned him their hatred. From then on, Castro and Alvarado, members of the legislature, and two Mexican officials, Director of Customs Angel Ramirez, and District Attorney Cosme Peña, plotted the revolt against him that led to his surrender on November 5, 1836.

The Californians gave many reasons for the uprising, the chief one being the abolition of the federal system in Mexico and their refusal to endure the subsequent despotism. More potent reasons, however, were the ambitions of the young Californians to hold important offices in the territorial government; the desires of the principal Californian families to acquire the rich mission properties; the hatred of the Californians for things Mexican; and finally the quiet instigation by the growing foreign element, especially the Americans, who were anxious to see and help the Californians revolt so that this rich territory might be turned into another Texas.²

Before attempting his revolution, Alvarado solicited the aid of his young uncle, Mariano Guadalupe Vallejo, but the latter declined because he saw little to gain and much to lose by joining such an uncertain venture. Nevertheless, Alvarado and Castro using Vallejo's name and prestige to good advantage, although without his consent, soon enlisted an army of about a hundred men. Thus by the potency of the Vallejo name they were able to capture Monterey without a struggle. Once possessed of the capital, they soon

reorganized the territorial government. A new legislature was convened; Alvarado was appointed as governor; Castro was placed in active command of the field forces; and Vallejo was given the post of Commandant General, which he accepted since it called for no great effort on his part. As soon as the organization in the north was completed, Alvarado and Castro moved south where they hoped to consolidate the victory of their revolution by enlisting the southern Californians in their service.³

The prominent southerners received the news of the November revolution with either surprise, timidity, fear, indignation or grief, due to the sectional rivalry which had grown up between north and south during the preceding ten years. A number of them wrote to Vallejo expressing their feelings. Antonio Maria Osio wrote that he was stunned with surprise and sorrow;⁴ Juan Bandini was in a frenzy of grief;⁵ Pio Pico expressed his surprise and fear of the consequences⁶ and they all hoped that Vallejo had had nothing to do with the affair and that he would do all in his power to restore the territory to order. Carlos Antonio Carrillo was one of the few who was pleased that California had been declared independent. He also promised the northerners his aid, although a year later he was to become their bitterest enemy.⁷ Carrillo, furthermore, advised Vallejo and Alvarado to move to Santa Barbara with their troops so as to consolidate the revolutionary spirit. He also gave them information concerning the movements of persons opposed to the revolution and of their attempts to get troops from Sonora with which to quell the revolt. Due partly to this advice, Alvarado and Castro moved to Santa Barbara.⁸

Meanwhile, the officials in Los Angeles and San Diego decided to remain loyal to the national government and refused to join in the revolution. Public assemblies were held at Los Angeles and San Diego, during which committees were appointed to interview the Monterey leaders in order to ascertain their plans.⁹ One of their chief arguments against the revolution centered about the granting of religious tolerance by the Monterey faction.¹⁰

In San Diego a committee composed of Juan Bandini and Santiago E. Argüello was appointed to consult and cooperate with Los Angeles and Santa Barbara as to the measures to be taken against the revolution.¹¹ This commission returned to San Diego as soon as their object was attained.¹²

According to their report, a number of resolutions were passed at Los Angeles. These provided that a provisional governor was to be elected; Los Angeles was to be the new capital; an army was to be raised to suppress the revolt; and the Monterey leaders were to be arrested. However, no sooner had these resolutions been adopted than a message was received from Santa Barbara, stating that it could not accept them.

For a few days southern cooperation seemed to be on the point of bearing fruit. A separate provisional government was about to be established which might defeat the Monterey faction, or at least exact favorable terms. This possibility was strengthened by the arrival in southern California of Captains

Portilla and Zamorano, who had been ousted from Monterey with Gutierrez and who could and did lend their support to a counter revolution.¹³ But just when success appeared within reach, trouble began. The troops refused to serve unless they received the back pay that was due them for many years' service. At the same time that Santa Barbara refused to accept the Los Angeles proposal, it suggested a plan of its own. This provided for a general congress to meet at Santa Inés, which would represent the whole territory in choosing a provisional ruler. This idea so discouraged the Los Angeles leaders that the matter was dropped temporarily.

Early in January, 1837, municipal elections gave southern California a new political setup which instilled new courage and life in the southerners. Los Angeles, on January 3, 1837, blossomed out with a new political plan. In this it was proposed not to recognize the Monterey party; to elect a new legislature which would meet in Los Angeles; and to submit all future plans to Mexico for approval.¹⁴ San Diego promised to cooperate and the Commandant of Lower California was requested to march north with a company of troops to aid the southern cause. Unfortunately for the patriots, those troops were busily engaged in quelling an Indian uprising just below the boundary of Lower California, and were unable to give aid to Los Angeles.¹⁵ San Diego, at this time, began to procrastinate in sending the volunteers it had promised, so Los Angeles had to shoulder all the burden of raising the army, which it recruited to some 270 men. This force was placed under the command of Lieutenant Juan José Rocha and by mid-January was stationed at Mission San Fernando awaiting the approach of the revolutionary faction.

Meanwhile, Alvarado and Castro set out from Monterey about Christmas, arriving in Santa Barbara early in January, where they received the cooperation of the populace and that of Captain Don José de la Guerra and Father President Narciso Duran as well. Backed by this moral support, Alvarado by January 19 had moved his small army of 110 men against Rocha's force, and was camped at Encino, not far from San Fernando, where he conferred with a commission sent from Los Angeles.

Alvarado had been in touch with Los Angeles authorities for several days, during which he tried to win them to his views by conciliatory promises, but he made it plain that he had the force and would use it to gain his point if necessary. When they heard this, the Los Angeles leaders decided that he was not such a bad fellow after all; accordingly they sent a peace commission to discuss terms with him. On the 16th, Commissioner Osio had a conference with Alvarado at San Buenaventura, with no result except that he was able to report the numerical inferiority of Alvarado's army. At this, Commissioner Sepúlveda requested that every available man should be sent from Los Angeles to the front.

On the 19th, Osio and Sepúlveda had a conference with Alvarado in accordance with instructions from Los Angeles to make a treaty, but they were to

wait for Pio Pico and other San Diego commissioners, who were to take part in the negotiations. When Pico and his associates failed to arrive on the 20th, Sepúlveda and Osio met Alvarado at Encino. Being poor diplomats, instead of opening negotiations, they showed him their secret instructions, which he approved in writing on the margin. Believing that this constituted a treaty, the Los Angeles envoys stated that Alvarado should disband his army and retire to the north at once. Alvarado became offended at this, and, after some argument, demanded the immediate surrender of San Fernando; otherwise he threatened to take it by force. His demand was met at once by the frightened commissioners, and Lieutenant Rocha's army, although willing to fight, had to retire towards San Gabriel without firing a shot. Alvarado's force occupied the Mission on the afternoon of January 21.¹⁶

Just about this time, Pio Pico and his San Diego reinforcements put in a tardy appearance and met the patriot army in full and inglorious retreat. The brave Dieguinos loudly voiced their contempt and rage over so disgraceful a surrender. Nevertheless, after some reflection, they decided not to attempt a recapture of the Mission, as they had at first proposed.

The news of the fall of San Fernando caused great excitement and consternation in Los Angeles. Official meetings were held; the city was placed in a stage of siege and guards were posted. In spite of all this activity, Alvarado, accompanied by Graham's riflemen and his Monterey militia, entered the city unopposed. Soon after, Alvarado ordered the volunteer troops disbanded; Rocha's regulars were garrisoned at San Gabriel and Pico's twenty men were used to police the city. On January 26, Alvarado summoned the authorities to a meeting at which he presented a new plan. This provided that California would support the federal system, that a new legislative body should be elected, and that only a native son would be acceptable as a ruler.¹⁷

After subduing Los Angeles, Alvarado stationed Castro with thirty men at San Gabriel and then returned to Santa Barbara, from whence he sent the rest of his troops home to Monterey. For the following four months peace prevailed, although the southerners failed to cooperate as they had promised, while the San Diego authorities went so far as to refuse to accept any plan other than one pledging a complete return to Mexican rule. To add to Alvarado's anxiety, there came disquieting rumors that a large military expedition was to be sent to California from Mexico. When this failed to materialize, the revolutionists took new courage and Castro sent a small force to San Diego to arrest as trouble-makers such leaders as Argüello, Zamorano, Portilla, and Estrada. These men, getting wind that they were wanted, fled into Lower California where they remained all spring plotting a counter revolt against the Monterey party. Alvarado, believing that the south would remain peaceful, returned to Monterey late in May unaware of trouble in the near future.

When Governor Gutierrez and his officers were deported, only such officers as were married to Californian women were allowed to remain in California.

Three of these, Portilla, Zamorano and Del Valle, moved to Southern California where they joined Captain Santiago Argüello, Zamorano's father-in-law, in opposing Alvarado. Among the officers who sailed with Governor Gutierrez was Captain Andrés Castillero, who a few months later was to play a most important part in changing the course of Alvarado's revolution from federalism to centralism.

Governor Gutierrez and his fellow-exiles were set ashore on the barren coast of Cape San Lucas, Lower California, on November 23, 1836, from whence Gutierrez reported to the national government on November 30.¹⁸ By the end of December the exiles had traveled overland to La Paz, and from thence, after a lapse of several months, to Mazatlan and Mexico City where they urged the government to send a large military force to subdue the Californians. Captain Castillero, however, chose to remain at La Paz, where he was soon appointed as secretary to the Commandant General of Lower California, Don José Caballero. From that important post he was detached in May to act the rôle of principal mediator in the Alvarado revolution.

Turning to Mexico, we find the news of the California revolt arriving from all directions. The first reports were written on November 30, 1836, by Governor Gutierrez from Cape San Lucas, by Lieutenant Rocha from San Gabriel, and by Lieutenant José María Ramírez from Los Angeles. Each told a different story, but they all requested that an army of at least six hundred men be sent to quell the revolution.¹⁹ For the following six months numerous private and official reports arrived in Mexico. The most active of those reporting was Captain Santiago Argüello, who emphasized the destitute condition of Mexican troops in California and the activities of the San Diego loyalists in their attempts to preserve Mexico's authority in the territory.²⁰

Early in 1837, the Mexican Government decided to take some action, and a bill was passed in congress providing that a loan of 60,000 pesos be secured from the Pious Fund, with which to finance the proposed military expedition.²¹ This turned out to be a dream, for by then the Pious Fund was practically exhausted. Nevertheless, for the succeeding four months, plans for the expedition went forward although the loan was not forthcoming. On June 6, 1837, a naval officer, Captain Lucas F. Manso, submitted a complete estimate of the cost of the expedition. It was to consist of six hundred fully equipped men under a competent commander, General Iniestra, and was to go by water in four transports convoyed by two war vessels, with provisions for a three months' campaign. The total cost of the expedition was estimated at 59,335 pesos.²²

Meanwhile, on March 30, the Commandant of La Paz, Lower California, Don José María Mata, decided to take measures to protect Lower California from the revolution. He therefore ordered Captain Juan Castañeda to take a few men to the California frontier to defend it against incursions by the revolutionists. He also requested permission to raise a force of two hundred

men to be sent to the frontier, with which he was confident he could restore peace in California.²³ Captain Castañeda and his men went on their way, but the government, doubting the success of Mata's larger scheme, withheld its permission for some time. Nevertheless, when it was seen that it would be unable to get the Pious Fund loan, by May the government was ready to grasp any suggestion by which it might bring peace to California.

On April 12, 1837, the Commandant General of Lower California, Don José Caballero, sent the following order to his secretary, Captain Andrés Castillero:

You will set out immediately for the frontier with a corporal and six men and when you have joined the force that is stationed there, of which you will take command, you will operate with it and take such action as you see fit according to the circumstances that present themselves to you due to the difficulties, so I am informed, in which the factions in California are involved; with the understanding that for that purpose you may requisition supplies from the parish priest of that Mission, Father Feliz Caballero, who I am sure, with his counsel and prestige, will aid you in all that you may require for your enterprise, in which no less than the honor and the reputation of the National arms are at stake. If by any chance you should be faced with some insuperable difficulty you will see fit to stay within the boundaries of the frontier in order to prevent the incursion of the enemies of order into the territory under your jurisdiction.

In a postscript Castillero was told that he was to carry out the above order upon the approval of superior authority.²⁴

A copy of the order was sent to the War Department for approval, which was granted on May 16, Caballero being advised that he might go ahead with his plan, provided that he could raise a force sufficient to assure the pacification of California. However, he was to attempt no movement that did not have the probability of success.²⁵ At the same time the government continued its fruitless efforts to secure the Pious Fund loan. The War Department stated that there was urgent necessity for sending the expedition to California, because the rebels were gaining strength and should the army delay its start until the end of the dry season, it would have to wait until the following year. Such a situation might cause irreparable harm.²⁶

On receiving governmental approval for his enterprise, Captain Castillero set out at once with his eight men for the California frontier, paying all expenses out of his own pocket. He arrived at the frontier on June 12, 1837, and took command at once, since he found that events north of the line were rapidly moving towards a crisis.

In California, Alvarado had consolidated his position in the south to some extent; by May, 1837, at least most of the politicians were rendering him lip service, although there was a party led by Pico and Osio that was secretly plotting against him. The people of San Diego, however, had consistently refused to take part in any revolt and remained loyal to Mexico. Consequently, those officers who fled into Lower California, decided to organize a counter revolution to overthrow Alvarado. The arrival of Captain Juan Castañeda

with his company at the frontier as well as the return of Ensign Nicanor Estrada from Cape San Lucas gave them new courage. They assembled at Argüello's Rancho de Ti Juan on May 15, 1837, to evolve their plans. Captain Agustín V. Zamorano, as the senior officer, assumed temporarily the post of commandant general and civil governor. The rest of the assemblage included Juan Bandini, Santiago Argüello and his numerous sons, Ensign Nicanor Estrada, José María Mier y Terán and Lieutenant Antonio M. Zavaleta. Captain Pablo de la Portilla was to assume the command on his return from a campaign against the Indians. Aided by the verbose Bandini, a lengthy plan of twenty articles was soon issued. Its purport was to undo all that had been done since November 5, 1836; to recognize Mexico's full authority; and to rule the territory under southern auspices until the government should otherwise direct.²⁷ Once having proclaimed their plan, the loyalists enlisted a force of some seventy-five soldiers and civilians from the vicinity. Then they collected supplies for the expedition which was to set out in June for Monterey.

Late in May, Zamorano sent a group of some ten men led by Bandini and Santiago E. Argüello, son of Captain Santiago Argüello, to invite the Los Angeles authorities to join with San Diego in its plan. The commissioners kept their arrival in the city a secret until they had rallied some of their friends to their support. Then, by a previous understanding, on the night of May 26, they surprised the guard at the barracks. The next day the civil authorities were forced to accept the plan, and a committee of three was appointed to go to Santa Barbara to confer with Alvarado.

Bandini and his party remained in Los Angeles only a few days, maintaining their position only with great difficulty so they claimed. On June 1, they set out for San Diego to help subdue an Indian uprising. It is said, however, that a report of Castro's approach from the north added impetus to their hasty departure. In spite of their hurry, Bandini remembered to carry away the old cannon that Castro had captured at San Diego earlier in the year and arrived home to receive a hero's triumphal welcome from his cheering fellowtownsmen. With the return of the commission, the preparation for the northward advance of the San Diego army began in earnest. Captain Portilla returned to San Diego on June 5, and the same day Zamorano transferred the command of the army to him. After a week of preparation, on June 12, the loyalist army set out for Los Angeles.²⁸

In the meantime, an important event took place in Mexico which was to influence greatly the course of California politics for the following two years. At that time the government was in desperate circumstances, being unable to raise the money with which to send the military expedition to California. Already, it had consented to send Castillero in an effort to bring peace to the territory. And it continued to grasp at straws, however weak, which might aid it in that undertaking. One of these broken reeds which it clutched was Don Carlos Antonio Carrillo who up to that time was helping Alvarado in

Santa Barbara. Early in the year, Don José A. Carrillo, who was in Mexico, began to whisper into the government's ear that if his brother was appointed governor of California the revolution would end. At first, little heed was paid to him but as other plans failed the suggestion was finally acted upon, and on June 6, 1837, the President appointed Don Carlos as governor. The Minister of Interior wrote as follows:

Excellent sir:

His Excellency the President of the Republic, making use of the authority vested in him by Article 6, of the law of December 30, last, has seen fit to appoint Your Excellency provisional governor of the new Department of the Californias. This I have the honor to communicate to Your Excellency by Supreme order; with the understanding that wherever you may reside, be it the City of Los Angeles, Monterey or any other place, which you may deem convenient due to the present political circumstances of the country, shall be declared henceforth the provisional capital of that Department, but only for those objects which are expressed in the above law.

I have the honor to communicate this to Your Excellency for your knowledge and guidance.

God and Liberty. Mexico, June 6, 1837.

(Signed) PEÑA Y PEÑA.²⁹

His Excellency Don Carlos Antonio Carrillo,
Provisional Governor of the Department
of the Californias.

A copy of this letter was forwarded to the Commandant General of California by the War Department on June 9. However, this news did not arrive in California until sometime in October.

Meanwhile, Captain Portilla, with Captain Zamorano acting as secretary, set out for Los Angeles with his army of seventy Californians and a few trappers from New Mexico on June 13. While preparing to depart, on the 12th, Portilla received a message from Fr. Felix Caballero of the frontier Mission, enclosing a copy of the new constitution of 1836, also announcing the arrival of Captain Andrés Castillero as commander of the frontier company. When Portilla received the letter, he assembled his army and the citizens of San Diego and had them take an oath to the new constitution. The following day he wrote to Captain Castillero requesting the aid of the latter's troops if possible. He then marched his army to Mission San Luis Rey, where he stayed June 14 and 15 to repair some equipment. At that place Captain Castillero overtook the army on the 15th, with a sergeant and eight dragoons.

Upon receiving Portilla's request for aid, Captain Castillero at once decided to act under that clause in his commission that empowered him to act as he saw fit, according to the circumstances. At San Luis Rey he informed Captain Portilla, orally, that he had been commissioned by the Mexican Government to settle the revolution; but that because of the haste with which he had set out from the frontier, he had left his credentials behind with his luggage. Due to that incident and to the fact that he had been a fellow-officer

under Gutierrez only a few months before, Portilla and his officers believed him. Henceforth, they recognized him as invested with the character of an envoy from the national government for the stated purpose, and agreed that he might discharge his commission within sight of their army.³⁰

By his actions in this case, Castellero showed himself to be a shrewd diplomat. In fact, his commission was only a lefthanded affair issued to him by Don José Caballero, with the approval of the national government, but it could hardly be construed as a direct grant from the central authorities. Furthermore, it was so vaguely worded that he would have found it difficult to establish his position as an envoy. He probably reasoned that if he showed the document to Portilla, he might not accept it, as he very likely would not have done. He also may have thought that if he made verbal claims, leaving the proof behind, there was a chance that the other officers might believe him, since they had known him as a comrade for several years, and none of them could be sure that he had not been to Mexico with Gutierrez and really been appointed as an envoy. His scheme worked and he did not have to present his credentials, thus saving himself much embarrassment. Nevertheless, before he had finished his work, Portilla, Argüello, Bandini, and others began to suspect that his claims were spurious.³¹

From San Luis Rey the San Diego army continued its slow march to Los Angeles, augmenting its ranks on the way with deserters from General Castro's army. As Portilla and his troops neared the San Gabriel River on June 18, they met Ensign Anastasio Carrillo, of the Santa Barbara Company, who had been sent by Castro to arrange an interview between himself and Castellero at Los Angeles, at which they might discuss the attitude of the northerners towards the new constitution. The army camped across the river while Portilla and his staff considered Castro's proposal. While thus encamped, the southerners were alarmed by an approaching party of horsemen, but it turned out to be Lieutenant Juan José Rocha and a small group who came to join Portilla. The staff continued the discussion, after order had been restored, and decided that Captain Castellero should not go to Los Angeles, but that the opposing armies should line up in battle array within sight of one another, at cannon's shot distance, and that Castro and Castellero should meet half way between. There Castro would either be convinced that he should take the oath to the constitution and lay down his arms, submitting to the government, or else he would have to fight Portilla's division.³²

After Castro's envoy departed, Portilla's army resumed its march on Los Angeles in order to select an advantageous location for the interview. On the way it was met by Pio Pico who had a message from Carrillo, saying that Castro wished to consult Governor Alvarado before replying, so was retiring northward for that purpose. Some Californians claimed that Castro became so frightened at Portilla's approach that he and his men left the city in shameful flight, Castro leaving some of his underthings behind.³³ Portilla stated

that he knew that they were in great haste to get to Santa Barbara. It was Portilla's intention to send a pursuing party, but he gave up the idea as he was sure that it would never overtake the fleeing Castro.

The next morning, June 19, the southern army entered Los Angeles where Portilla and Castellero ordered all officials and citizens to assemble and take the oath to the new constitution. The oath was publicly and duly solemnized at the plaza with religious rites, the ringing of bells and salvos of artillery, after which Portilla's army returned to San Gabriel.³⁴

For the next two days the army repaired its equipment, then on June 22 it set out for San Fernando, passing through the city to pick up supplies and reinforcements, composed of 150 pesos in silver and 170 pesos worth of merchandise given by the merchants of the city at Portilla's request, also a number of men. The supplies were obtained but not the men, due to the alcalde's lack of energy. Portilla, not satisfied with results, that evening returned to the city in company with Castellero. This time he insisted on getting a list of men who could be conscripted, after which he and Castellero returned to their camp. On the 24th they arrived at San Fernando where the army camped for some days to repair equipment and await the reinforcements from Los Angeles.

While there, news was received that Castro's division was fortified at Rincon Pass, to prevent further advance by the southerners. On the evening of the 25th, Don Antonio Lugo arrived from Los Angeles with twenty-four men, so Portilla ordered his army to advance to San Buenaventura the following day. Just as the march was resumed, a message from Argüello was received calling for aid to subdue an Indian uprising in San Diego. After a discussion it was decided to suspend the advance while aid was rushed south.

At midnight of June 26, Don Carlos Antonio Carrillo arrived at San Fernando bearing a letter from Castro to Castellero, in which the former expressed a desire to adhere to centralism and stated that on the arrival of Governor Alvarado and General Vallejo they would acknowledge their submission. The letter also empowered Carrillo to make further explanations on the subject.

Portilla once again assembled his officers to consider Castro's proposals, with Carrillo present to explain them.³⁵ These were that neither army should advance from its present position while Alvarado and Castellero should hold a parley, at which some agreement might be reached. After some discussion, it was decided to allow Captain Castellero to act as mediator, so a set of instructions on behalf of the division was drawn up for him. They were as follows:

Instructions to which Captain Don Andrés Castellero must conform on behalf of the Division, in the interview which he will have with Don José Castro encamped in the vicinity of Santa Barbara, commanding an armed force of the Monterey revolution of November 7 of the previous year. 1. That supposing Señor Castro and his Division to be

most willing to adhere to the present form of government; they shall take the oath to the constitution and return to their allegiance to the Supreme Government; and having limited his special commission from the supreme authority to this, it is recommended to Señor Castillero, that he make all efforts suggested to him by his patriotism and intelligence, to dispel Señor Castro's doubts or difficulties, in order to consummate his good wishes and intentions in favor of the constitution, thus preventing the misfortunes that might occur in the Department. 2. That Señor Castro and his Division having taken the oath to the constitution, and consequently having recognized the Supreme Mexican Government, shall allow full freedom of action to the ruler who may be summoned to the office, so that the latter may carry on everything that lies within his duty, according to the constitution and related laws. 3. That supposing Señor Castro and his Division take the oath to the constitution and return to their allegiance to the Supreme Government, they must disband their forces, because there will be no reason for their remaining under arms. 4. Señor Castillero is hereby empowered to consider any other point not expressed in these instructions, notifying this Division of it by special messenger, so that it may decide. 5. Señor Castillero has four days in which to transact the business, and if it is not settled within that time, this Division will start its advance, the time beginning today at ten o'clock in the morning.

Mission San Fernando, June 27, 1837.

(Signed) PABLO DE LA PORTILLA.³⁶

Armed with these instructions, Castillero set out that same morning and met Governor Alvarado in the vicinity of San Buenaventura at a spot called *Cañada de los Sauces* (Willow Glade), where they held their conference. What transpired at this interview it is impossible to say, but whatever his arguments, Castillero managed to convince Alvarado that it would be wise for him to abandon his revolution and take the oath to the new constitution. In a report of the War Department upon his return to Mexico, Castillero said that on acquainting himself with the San Diego plan, he lost no time in informing the leaders of the impolitic course of their actions, and pointing out that the government would look with displeasure on the matter. Then having approached the principal leaders of the revolution, he had managed to convince all of them of the advantages to be derived by them from their adoption of the constitutional system which the majority of the nation had accepted, and of the necessity of loyalty to the Supreme Government, whose wisdom would end the difficulties existing between them.³⁷

Possibly Castillero's discussion with Alvarado was as follows: Should California return to its national allegiance the legislature would resume its duties and Alvarado as senior member would automatically become *ad interim* governor. The southerners would have no further pretext for their opposition. Portilla's army would have to disband, while the San Diego plan would disappear, and moreover there would be no temporary offices to fill. Experience had demonstrated that the southerners could not be depended upon to support Alvarado's position for independence. On the contrary, they were sure to seize every pretext to revolt in order to gain advantages or to gratify personal grudges. Even in the north there were signs of dissatisfaction and uprisings had resulted. United effort which alone could bring success to

the revolution was impossible. Furthermore, Mexico was preparing a strong force with which to reconquer California (of course Castillero knew nothing of Mexico's difficulty in assembling the army and of its final failure), and it was merely a question under whom the territory would return to its allegiance. Castillero made no secret of his preference: that it should be Alvarado. Becoming governor in this manner, Alvarado would then owe the southerners nothing. Possibly, Castillero suggested to Alvarado that if he, Castillero, were sent to Mexico as a commissioner, he might by his influence prevent the sending of the army, which otherwise would ruin the country, and perhaps he might even secure Alvarado's confirmation as governor. Finally, California by the decree of December 30, 1836, had already become a department, which was one of the principal objects sought by the Monterey revolution. It must have been arguments such as these that converted Alvarado to centralism. In his report to Mexico, Castillero stated:

I succeeded as a result of my labors, in getting all to take the oath to the constitution, to give up all their pretensions, to remove all foreigners from public offices, to disband the Anglo-American company of riflemen, to dismiss the congress that they had convened, to reestablish the former territorial assembly, and to send a commission, to which I have the honor of belonging to the central government.³⁸

Undoubtedly, Don Andrés used his position to good advantage.

As soon as the interview was over, Governor Alvarado returned to Santa Barbara to confer with his officers and to prepare them for their acceptance of centralism, while Castillero journeyed to San Fernando to report to Portilla. From Santa Barbara, on June 30, Alvarado wrote to Castillero expressing his ideas regarding their interview and opinions on his southern opponents. He said:

Government of the Department.

In consequence of the interview which you and I had at the *Cañada de los Sauces*, I have assembled the officers of my division. I acquaint them with the good intentions that exist in my favor of peace and union in California, and everything else that you saw fit to tell me on the subject. In it they have seen a proof of the merited esteem which you enjoy in the country, and we all congratulate ourselves upon the distinguished choice made by the Supreme Government, in sending to us a commissioner so worthy of the love and faith with which we have always regarded him.

All the towns lying between San Francisco and San Diego, with the exception of the latter, are in accord, and there exists a perfect sympathy of their sentiments with those which you have affirmed. We have always longed for peace, and if we have twice had to send arms into the South, it has been for the purpose of curbing those from San Diego. They are the ones that today attack us, we only maintain ourselves on the defensive. There is no plan except in San Diego; ours is none other than that of the conservation of peace and the observance of the new Mexican Constitution; for it leaves us nothing to be desired. It offers us the guaranties to which we aspire, and we would be wholly satisfied if we did not have to repel the attack of the Dieguiños. They would not now have to lament misfortunes that befell them, due to the disunion which they promote with respect to the rest of the Department, had they not attempted to live apart from the government.

If they raised arms against it, I can not protect them with mine against the ravishes of the Indians who at this very moment are pillaging them. You, missionary of peace upon our soil, perhaps may be able to end the lamentable consequences of the civil war to which we are provoked by the Dieguinos; therefore, if they respect the Supreme Government, they must obey its representative; and if you can get them to lay down their fratricidal arms, and to retire to the care of their homes, you will prevent the Californians from shedding the blood of Californians; and that noted service shall be a new claim which you shall acquire to the gratitude and esteem which we entertain for you.

In previous communications which I had the honor of sending to the Executive, I have contracted, as a ruler, the obligations of pacifying the territory and of organizing it under the new constitutional laws. I doubt not that I shall attain it, because there are republican virtues and disinterested patriotism among my fellow-citizens. That the good to which they aspire shall be the common good and not the individual one. They covet no other title than that of worthy citizen, nor any other employment than that of serving the Fatherland, and they will merit its support and honor.

Among my compatriots, I aspire not to wear the laurel but the olive. Should I receive it from you, my wishes will be fulfilled.

God and Liberty. Santa Barbara, June 30, 1837.

(Signed) JUAN B. ALVARADO.³⁹

To the Commissioner of the National Government
Captain Don Andrés Castillero.

The above letter shows how completely Alvarado's views had been changed by Castillero's arguments, and how easily he shifted the responsibility for the civil war to the San Diego party. Castillero, being anxious to bring peace by any method, was perfectly willing to allow Alvarado to blame the southerners who had always been loyal to Mexico, if that would accomplish his aims. At his first meeting with the San Diego leaders he had warned them that the government would look upon their plan with disfavor.⁴⁰ In this respect, Castillero not only did a good job in convincing Alvarado that his most profitable course was to accept the national administration; but he did an even better one in convincing Portilla and other southerners, including Zamorano, that the northerners were sincere in their views. Castillero showed clearly that he possessed the qualities of tact and diplomacy of the true statesman. Indeed, he had to be a keen statesman to reconcile, even for a moment, the violent sectional hatreds existing between northerners and southerners. That he did so successfully is clearly shown by the following letter from Portilla to Alvarado.

Captain Don Andrés Castillero has made it clear to us how well disposed that northern part of the Department is to take the oath willingly to the constitutional laws decreed and sanctioned by the sovereign national congress. The principal object of the Division under my command being none other, it, as well as I, congratulate ourselves that by that method, there shall be established in the northern section as well as over all the Department, laws as wise as the ones that save us from our internal dissensions and which may plant the olive of peace; so forgetting all resentments, may the order of the laws and the fraternity between the towns descend upon this distant Department, forming one single family. Therefore, we expect that all may be happily attained so that we may begin our

march against the revolting pagans, and to leave them fully chastised for the depredations which they have recently committed.⁴¹

God and Liberty. Mission San Fernando, July 2, 1837.

(Signed) PABLO DE LA PORTILLA.

Don Juan B. Alvarado.

Alvarado's victory over the southerners had been complete, yet he had administered a crushing defeat to his own revolution. The southerners no longer had any ground to stand upon in their armed opposition to Alvarado. Therefore, Portilla prepared to march his army back to San Diego. Alvarado, by changing his political complexion had left the San Diego party no better off than it had been in the beginning, while he remained in full control of all California.

After several days of conferences with his comrades at San Fernando, Castillero set out on July 4, for Santa Barbara to administer the oath to the Alvarado forces. That same day Portilla issued a notice to the southern communities advising them of the decision of the northern faction to accept the constitutional laws, and the withdrawal of his army to San Gabriel. He said: Division of Operations of the Supreme Government.

In virtue of the fact that the northern rebels have agreed with Captain Don Andrés Castillero, commissioner for the Supreme Government, willingly to take the oath to the constitutional laws and to yield submission to the general government, I have withdrawn my forces to this post to establish here my General Headquarters, until such time as the peace of Upper California is assured. I have the honor of notifying Your Worship for your information.

(Signed) PABLO DE LA PORTILLA.⁴²

The Illustrious Ayuntamiento of San Diego.

On July 8, Alvarado, his officers and all the citizens of Santa Barbara assembled at the plaza, took the oath to the new constitution before Captain Castillero and California once more became a part of the Mexican federation. The following day, Alvarado issued a short and fluent proclamation to the people of California, which was written by his secretary, the versatile Frenchman, Victor Prudon:

Compatriots!

Liberty, peace and union are the trinal intelligence that should rule our destinies. Our arms secured us the first; a wise congress guarantees us the second, and the last one depends upon ourselves, without which we have neither liberty nor peace. Let us then preserve that union inviolate, sacred ark which holds the custody of our political redemption. Let us war only against the tyrant! Peace amongst ourselves!

The solidarity of a material building consists in the union of its parts; a single stone displaced from an arch causes the columns to totter, bringing ruin to a structure that would mark the age of time, did its component parts remain united. In the same way disunion has an influence in the destruction of the moral edifice of a society.

The Territory of Alta California is immense; its coasts are washed by the Pacific Ocean which, placing us in touch with the nations, develops our industry and commerce, the source of abundance. The mildness of our climate; the fertility of our soil, and (I

shall say it also in our behalf) the suavity of our customs, and our good humor are so many other privileges with which the Omnipotence has favored us in distributing his gifts. What country can number so many advantages as ours? Let us strive then to give it a place in history as conspicuous as it has on the map.

The Constitutional Laws of 1836 guarantee to us the inviolability of our rights. The august national chamber of representatives is ready to consider a project of those which we may introduce to it for our greatest welfare and prosperity; our votes may be cast in favor of the meritorious citizen whom we may judge worthy of occupying the supreme magistracy of the nation. And what more do you wish? The very laws assure us that we shall not again fall prey to the despotism and ambition of another tyrant such as Don Mariano Chico. The Department of Alta California may henceforth be governed only by a native or citizen of it.

Yes, my friends; the enthusiasm and pleasure that you feel at such specious news is very justifiable. I am possessed of the same pleasure and I close so that you may no longer have to restrain your rejoicing. Give it free expression, shouting with me; Long live the Nation! Long live the Constitution of 1836! Long live the Congress that sanctioned it! Long live Liberty! Long live Union!

Santa Barbara, July 9, 1837.

(Signed) JUAN B. ALVARADO.⁴³

Victor Prudon,
Secretary.

Captain Castillero convinced the San Diego party that Governor Alvarado was sincere in his change of political views. Captains Portilla and Zamorano and other leaders were willing to accept the fact and peace was established. There was one member of the party, however, who did not accept Alvarado's actions as being sincere. He was Captain Don Santiago Argüello, native Californian, related to Alvarado and fully conversant with all the political tricks of his fellow-countrymen. In fact, he was fully convinced that Captain Castillero had been tricked by Alvarado and that he had sold out the San Diego party. When he read Portilla's report of July 4, he became so vexed at its terms that he immediately wrote that officer a bitter letter, reproaching him for failing to carry out the San Diego plan. Writing on the 8th, Argüello said that he found it impossible to believe that the rebels had voluntarily agreed to take the oath to the constitution and to submit to the control of the central government. His reasons for so believing were: that he had seen insulting letters from José Castro to some Mexican officers in the division. Why then, should they now negotiate with Mexicans in whom could be found the same objections that were attributed to the others already mentioned? He accused Portilla of showing little thought or understanding of the aims of the revolutionists. The rebels had undoubtedly considered themselves weak, yet they had been given time to fortify themselves and to recover from their shameful flight. Now that they were well prepared, having never kept faith in anything, they would impose their will upon the southerners. Argüello said that he foresaw this and believed that it was already under way; "then," said he, "all our hardships, sacrifices and labors will be a mockery." If the rebels' proposals were made in good faith, why had they not asked that a commission

of San Diego adherents accompany Castillero? He was unable to understand why the victors, the San Diego party, should have had to go to the enemy camp to propose terms that perhaps might be looked upon with disfavor by the Mexican Government, for that government never entered into treaties with traitors. An example of this was had in the Texas revolt and the capture of General Santa Anna. Why then were the rebels not made to settle the matter on the battle field? Argüello wanted to know whether they were already subject to the will of the rebels, and he was sure that they would soon fall victims to their intrigues, because they had left themselves open to that. All this came from not having pursued Castro, as he had foreseen and intimated. The enemy would, no doubt, boastfully attribute to fear the retreat of Portilla to San Gabriel; consequently theirs was the victory, since they had imposed their terms upon the southerners, who had accepted them. The visit of Don Carlos Carrillo to the southern division had been only for the purpose of delaying its advance and frightening it, so as to give the enemy a chance to fortify Rincon Pass. Thus intrigue had prevailed in everything.

Portilla might well argue that Argüello, not being present, was in no position to judge the difficulties and obstacles encountered, yet the fact remained that all these events were the result of not having pursued Castro. Had the southerners done so, they could have captured Santa Barbara and returned to San Diego. In closing, Argüello, in order to show his right to criticize, said that he had made many sacrifices and spent much, all without hope of personal gain, but, on the contrary, only for the general good and as a testimony to the government of his support.⁴⁴

No doubt Argüello was justified in being suspicious of Alvarado, because probably the governor had intentions of taking advantage of the southerners. But so far as Castillero was concerned, Argüello's idea that he had sold them out was wrong. Don Andrés had only one thought in mind, which was to get California back under Mexican control. He cared not at all which side won or lost, nor how the Californians settled their sectional grudges, so long as there was peace in the territory under Mexican authority.

Portilla and Zamorano seem to have paid no heed to Argüello's opinions, for they continued to deal with Alvarado and Castillero. On July 14, Governor Alvarado wrote to Portilla that he had withdrawn his forces from *El Rincon* and ordered Portilla to send his army to subdue the San Diego Indians who were on the war-path.⁴⁵

Castillero left Santa Barbara for the South on July 16, with intentions of taking his troops to San Diego to subdue the Indians and bearing Alvarado's letter to Portilla. He stopped at San Gabriel reporting to Portilla, who then wrote to Alvarado on July 17, saying that Captain Castillero had informed him that the civil government of Alta California had been reestablished, and the territory thus returned to peace and order. Portilla congratulated everyone concerned over the happy event and promised to report the fact and his

own military operations to the national government. Meanwhile, he wished to know what steps had been taken in regard to settling the question of the chief military command. Since Alvarado was in control of the government, it was up to him to decide, said Portilla, and he wished to know so that he might take whatever action was required of him.⁴⁶

After reporting to Portilla, Castillero gathered his soldiers and marched on to San Diego to fight Indians, at the same time removing from San Gabriel several unruly soldiers who had been causing trouble. But before leaving San Gabriel, he wrote a brief report to his superior officer, Don José Caballero:

Without delay I report to you, for the information of His Excellency the President, that on the eighth of this month the Territorial Assembly has solemnly taken the oath to the Constitution of the year thirty-six, followed by all the towns of upper California. All the native sons have placed themselves at the disposal of the Central Government. I presented myself to them in the name of the Supreme Government and yours, and convinced them of the advantages in the new constitutional laws. I sail aboard the national schooner *California* commissioned to deliver into the very hands of His Excellency the President the necessary documents, which, along with some personal interviews, will set the new system into perfect operation. I have the honor of announcing this happy event to you, as well as to offer you all my consideration and respect.

God and Liberty. San Gabriel, July 18, 1837.

(Signed) ANDRÉS CASTILLERO.⁴⁷

Principal Commandant of Lower California,
Don José Caballero.

After several weeks of campaigning on the frontier, Castillero returned to Santa Barbara, from whence he was to sail for Mexico aboard the *California* as Alvarado's commissioner. Meanwhile, Alvarado, Vallejo and Portilla had been carrying on a correspondence concerning the military command. In this controversy, Castillero wisely took no active part. In the first place, it was none of his concern how the Californians settled that issue. And in the end, had he meddled in it, he would have been sure to have made enemies of those against whom he decided. In his letters to Vallejo, Alvarado clearly showed his attitude toward the San Diego party, thus supporting Argüello's arguments that he was trying to trick them. On July 12, 1837, he wrote:

My dear uncle:

You must know by now, from the circular that I sent north after my last interview with Don Andrés Castillero, of all that has happened since I left you. On the 9th we took the oath to the central constitution, not because there is no longer any other remedy but, on the contrary, because it actually offers us guaranties and gives us advantages which we did not enjoy under the defunct one. Read it and you will see that it is not the flattery of a widower bridegroom.

All is now settled except for the Commandancy General and I do not know whether it should fall to Don Pablo de la Portilla or to Don José Antonio de la Guerra y Noriega. I should lean by preference in favor of the latter and you may give me your opinion in the matter.

Castillero and Don Pio are here, the former in the best of disposition is willing to

accompany the commission that may go to Mexico. I believe that he may be of some service, not only because he has been an eyewitness to our revolt and its consequences but also because of the influence exercised by his brother in the national government, as at present it is to our advantage to place ourselves under its protection. After that let come what may.

Meanwhile, order as you will of your affectionate nephew, who kisses your hand.

(Signed) JUAN BAUTISTA ALVARADO.⁴⁸

A few days later Alvarado wrote to Vallejo:

My esteemed uncle:

Santa Barbara, July 17, 1837.

Yesterday the legislature convened here. I called it so as to begin the organization of the constitutional régime and, also, because I found Don Pio in a mood to join with that crowd of hoodlums that continues to gather in part at San Gabriel, under the command of Portilla, whom the drunkards and ruffians want as commandant general and civil governor, even though the constitution may not designate him, because he is a great tolerator of mischief, due to his generous heart and that of his director, Zamorano.

Señor Castellero has decided to uphold the stability of my government; he even went so far as to point out to me that if it were not for the obstacle presented by the laws the military command should be left in your hands, because, from what he has seen, he has not found an officer in all that southern rabble capable of preserving order even in his own house. He has assured me that he is going to make it thus known to the government. Therefore, I intend sending him to Mexico in the schooner and he has offered to act as the commissioner who will talk to the government and he will convince it more completely that justice has been on the side of the natives.

Captain Castellero left here yesterday for San Gabriel to withdraw the troops he brought from the frontier, which I requested of him due to the fact that the Indians are menacing that district and because of the disorders, tolerated by Portilla and Zamorano, committed by the soldiers at San Gabriel, who, without thinking, want to make them the rulers of the country. There are twenty-four mounted soldiers from the frontier, undisciplined and insubordinate. He will soon return here.

I have said nothing concerning the general command because I have not wished the question taken up by the legislature. Portilla and Zamorano desire the post; so it is time that you, acting in that capacity, should make the necessary invitation to Noriega. He has turned into a friend against our enemies, and according to what he told me yesterday, he has no confidence in a single officer other than yourself (but he does not expect anything on that account; he has remained very quiet). Your proclaiming of Noriega, who is on our side, without any reservations on your part, will leave Portilla and Zamorano fooled and will give them a good drubbing. My retaining the powers of governor, in conformity with the constitution, will help a little and then you will have us as the victors in everything. These are my opinions and the reasons why I hurry this by special messenger.

Bandini has already retired, quite satisfied that I should hold the reins of government, because Castellero told them that was the law and that they should not deviate the slightest from it. The ambitious leaders of the opposition have been left humiliated and the whole division has dispersed, except for some hungry colonists and some very poorly armed men from the frontier. That is the condition in which things are. I continue here with some concern.

The Indians are attacking San Diego. They burned all the nearby ranches and almost captured the presidio.

The commissioner to Mexico will leave here soon and it would be a good thing if you would send a communication to the government.

Yesterday I received mail from Monterey in which Villa tells me officially that he has been taking action on the affair of the *castillo* in accordance with orders that you have given him.

I commend to you that rascal Peña as well as Ramirez and all the rest. Castillero tells me that any troops the government may send will be delayed a long while and that there is time for him to arrive there to prevent any such expedition. It is necessary to act at once so that we may remain well fixed.

The Father President has shown himself to be my best friend as well as of all the Californians. Some day I shall have a talk with you on that point, and shall give you proofs of his good behavior. As soon as I send the vessel and can leave these places in order, I shall go north and I wish that you would come south and have an interview with Noriega.

This gentleman as you know, is an upright officer and will agree with you without argument on the organization of the presidial companies similar to what they used to be, which opinion you have given me on previous occasions. I also think the same.

(Signed) JUAN B. ALVARADO.⁴⁹

These letters show Alvarado as the politician that Castillero estimated him to be and as Argüello knew him to be. He was probably trying to ease Vallejo out of the military command, at the same time that he was using him against Portilla whom he did not want. Perhaps Alvarado thought that Vallejo might have ambitions to displace him from the governorship once he became powerful in the military office. He even may have foreseen the subsequent trouble he was to have with Vallejo when the latter tried to influence the government to remove Alvarado from office. At any rate Vallejo did not take kindly to the suggestion that he should relinquish the office and so delayed his decision as long as he could.

While Portilla was waiting for replies from Alvarado and Vallejo, concerning the military command, he received another long letter from Argüello written July 28, 1837. In it, Argüello said that according to the law of December 24, 1836, Portilla was entitled to hold both the military and civil commands, because the members of the legislature had been implicated in the revolution. He now demanded Portilla's reasons for not claiming the governorship according to the law. He pointed out several precedents to support Portilla in making his demand which the people expected of him. Should he fail to make it, the southerners would become a laughing-stock before the government, then all their troubles, labors and sacrifices would have been made in vain. Argüello further pointed out that they would soon lament the fact that Alvarado was governor. Furthermore, the government would probably hold Portilla responsible for that, since the San Diego party had made no report of their activities and it was ignorant of their aims. On the other hand, the northerners were about to send a commission to Mexico, so there was no reason why the San Diego party could not do likewise. Unless they did so, they would be placed in a ridiculous light before the government. There was

also need for haste in sending the report because the Indian uprisings might close the land routes.⁵⁰

Portilla immediately replied to Argüello that it was the legislature's business to interpret the laws and not his. If some of its members had failed in that duty, according to the constitution, it belonged to the national congress to judge them as the one competent tribunal. He was, therefore, in no position to depose them from office, nor much less place them outside the law except by a special decree from the government, and he did not want to become involved in judicial matters. Furthermore, the northerners had taken the oath and had ordered all towns to take it, placing themselves at the disposal of the Supreme Government. Consequently, they must await the latter's decision in the matter, without taking by force a right that did not belong to them. Any hasty step taken at the moment solely to make a good impression might bring down upon them the President's displeasure. It was best to observe how the new law worked and to let the government lead the way in the matter, rather than to try to deprive the northerners of their authority; that was the way in which he interpreted the law.

Portilla also assured Argüello that the government would not long remain ignorant of the latter's patriotic services, as he was preparing a file of documents covering the period subsequent to November, 1836, which he presently would send to Mexico. He was also about to send the troops to San Diego to subdue the Indians. He said that Captain Castillero had shown him all the orders, passport and other documents which authorized him in his mission, so as to dispell any mistaken impressions of his actions.⁵¹ This calm and reasonable reply to Argüello's hotheaded proposals showed much thought and good sense. It was probably written by Zamorano, who was Portilla's secretary and adviser on the expedition. It has all the earmarks of Zamorano's careful thinking and love of law and order.

On July 30, Alvarado replied to Portilla's letter concerning the military command. He said that he had consulted with Don Mariano G. Vallejo on the matter and he had no doubt but that the latter would decide in accordance with the law and military regulations governing the case, so he promised to notify Portilla as soon as Vallejo's answer reached his hands.⁵²

Vallejo, however, wrote directly to Portilla on August 1, giving a history of how he had received the military command. Since the circumstances had now altered, he proposed that all the officers should assemble at a conference, there to decide which one of them should become commandant general. The meeting was to be held in Monterey on August 30, 1837; but if Portilla was unable to be present, he was to notify Vallejo in writing, naming his choice for the post.⁵³ To this proposal, Portilla immediately replied that there was no need for a conference, because the general regulations were very clear on the subject.⁵⁴ The law stated that the command should be assumed by the senior officer in the territory: in this case Captain Portilla. The controversy ended

at this point, because few of the officers were willing to attend the meeting and Vallejo refused to relinquish the command unless they assembled.

All this time Captain Castillero was fighting Indians on the southern frontier and was probably glad to be out of the thorny controversy. But he returned to Santa Barbara early in August, to arrange his departure for Mexico as Alvarado's commissioner.

The news that a commission was being sent soon spread throughout the territory. Thereupon, Argüello made a move to outwit Alvarado. On August 22, two days before Castillero sailed, he wrote a long letter to his brother Gervasio in Guadalajara, Mexico, giving him a detailed account of events since November, 1836. He told his brother to acquaint the government with the matter so as to counteract the effects of Alvarado's official documents. Don Santiago blamed Castillero for some of the difficulties that existed, claiming that as commissioner and commander of the frontier he had ordered that no reports from the San Diego party to the government should be allowed to leave California.⁵⁵

Meanwhile, Alvarado was busy in Santa Barbara preparing his reports and other documents to be sent to Mexico. When the governor first decided to send commissioners to Mexico he picked two prominent Californians, Don Carlos Carrillo and Don Antonio Maria Osio, to represent him. As the time for their departure drew near, the two envoys began to lose all desire to attempt the pleasant diplomatic mission. Finally Osio suggested that perhaps it might be best if he withdrew, because he had the bad habit of being frank and speaking his mind on all points, therefore his undiplomatic tongue might be detrimental to the cause that they were to champion. On Osio's withdrawal, Don Carlos also decided to resign. Other Californians hinted that it was not Osio's zeal for the truth that caused his resignation, since his reputation for veracity was little more than zero, rather it was due to a bad case of cold feet. It was suggested that the two, being prominently connected with the revolution, were afraid to venture to Mexico, lest once within the grasp of the government they might be seized and executed as traitors. There was much to be said for that point of view.

On August 24, Alvarado sent the Minister of the Interior, by his commissioners, a number of documents including a report of his actions from May to date. This was a continuation of a former one sent late in April covering the period of the revolution from November to April and explaining its motives and consequences. According to Alvarado, peace had been established by May, after which he had been busy straightening the political mess left by his predecessors. While he waited to see how the rest of the nation reacted to the new system, the San Diego troublemakers proclaimed their plan. Then they marched to Los Angeles leaving their homes exposed to the fury of the savages, who at once proceeded to burn and pillage. He set out for the south at once to save it from the threatened ruin, but when he arrived in Santa

Barbara he was informed that Captain Castillero was on his way north to have an interview with him. He accepted Castillero's invitation and their negotiations followed. Alvarado, after giving an extensive summary of his conferences and agreement with Castillero, praised the Captain very highly for his prudence, moderation and tact in using the constitution as a medium for bringing the two contending factions into agreement and peace. As a result of this the governor said that he had decided to send a commission to Mexico with Castillero as chairman, as a reward for his meritorious service and as a mark of esteem.

At the time that the San Diego troops were being disbanded in August, Alvarado received a very urgent message from Captain Portilla asking for aid. The Captain said that the North American Indians and trappers, led by one Charlefoix, who had been induced to join the San Diego army by Victor Eugene Janssens, were about to revolt because they had not been paid according to the agreement made with them. There was great danger that the public peace would be disturbed if aid was not sent immediately. Alvarado claimed that he at once sent a sum of money to pay off the trappers, with orders that they were to leave the territory. The payment was made and order was restored.

In taking up the state of affairs in military matters, Alvarado praised Vallejo highly for his efficient organization of the presidios; and recommended him to the government for his discipline, valor, and for the many distinguished services to the country. He also asked that a well organized force be sent to California, with which to rebuild the southern companies whose former soldiers had lost all semblance of military discipline. Alvarado also reported the purchase of the schooner *California*, in which he was sending Castillero to Mexico. On its return he hoped to use the vessel as a coast guard to prevent the scandalous smuggling by foreign vessels, as well as to control the otter and seal hunting that was then being carried on with impunity.⁵⁶

California being now at peace and all problems presumably settled, except that of the military command, which Vallejo seemed determined to keep for himself, the commissioners were ready to set out on their mission. Castillero and Ensign Don Nicanor Estrada, carrying all the essential documents, boarded the *California* at Santa Barbara and sailed for Acapulco on August 25, 1837. After a short and uneventful voyage they arrived safely at Acapulco on September 15, from which place Castillero reported to the Minister of War:

Most Excellent sir:

I have the satisfaction of informing Your Excellency so that, should it please you, His Excellency the President may be acquainted with the fact that Alta California has returned to its allegiance to the Supreme Government, accepting the constitutional laws published in the year thirty-six. I have had the honor of making those laws known to them in the name of the Supreme Government, convincing the Californians that in them they have all that they may desire and ask for concerning the well-being of their people.

Your Excellency may rest assured that not a single place, no matter how small it may be, but that has taken the oath in good faith. I set out in the national schooner *California*, now the property of the Supreme Government, on August twenty-fifth from the port of Santa Barbara with all the acts and other necessary documents, which are a part of my mission, the People of California being worthy of this trust.

The details of the events since my march from Lower California to that territory and the measures taken with such fortunate results I shall make known in person as I set out on the way to the Capital in company of Don Nicanor Estrada, a person who in the present crisis has been of very great value to me.

There remains only for me to offer Your Excellency my most true consideration and respect.

God and Liberty. Port of Acapulco, September 15, 1837.

(Signed) ANDRÉS CASTILLERO.⁵⁷

In reply to Castillero, the War Department on September 30 said that the President had received the news of California's pacification with much satisfaction and wished that Castillero might hasten his journey to the capital so that the necessary action might be taken.⁵⁸

While Castillero was on the way to Mexico, the San Diego leaders gathered a number of documents, which along with Portilla's day to day report of September 12, telling of his campaign from June 12 to September 1, were sent to Mexico in the hope of counteracting the Castillero mission. But unfortunately for them their documents did not arrive in Mexico until December, 1837, and by that time many new developments had transpired.

On September 16, 1837, the military commander of Acapulco, Tomás Moreno, reported the arrival of the *California* with the commissioners aboard, at four o'clock in the afternoon of the 15th. He sent his and Castillero's letters by special messenger, stating that he was overjoyed and full of satisfaction to report the happy news from California. He congratulated all concerned over the fortunate ending of the disturbances in that great territory and praised Castillero highly. He also begged the government's indulgence for the commissioners who might be delayed in their journey to the capital due to their arriving quite ill from seasickness.⁵⁹

That Moreno considered the results of Castillero's activities in California extremely important is suggested not only by his own statement, but also by the fact that he took the trouble to write and send his letter by special messenger on the 16th of September, Mexico's Independence Day, during which no Mexican will interrupt his celebrations except for the most urgent and important business. On September 30, the War Department replied, ordering him to do all that lay in his power to aid the commissioners to resume their trip.⁶⁰

Moreno was not the only official who considered the pacification of California important. On the same day that he wrote, September 16, the Commandant of Lower California, Lieutenant Colonel Don José Caballero was rushing the same glad tidings from La Paz to his chief, the General Com-

mandant of Sonora. He had just received Castillero's report of July 18, from San Gabriel and he was overjoyed with the success of the enterprise:

Without delay, I have the satisfaction of informing Your Excellency that in sending Captain Don Andrés Castillero as commander to the frontier, with the confidential instructions to take advantage of all opportunities that might present themselves in order to reestablish peace in Upper California, in conformity with my confidential note to Your Excellency of April 12, last, and the report which I also made to Your Excellency on the following August, my hopes have been realized. This measure was so opportune, that by means of it, we have managed to bring Upper California to peace and to its recognition of the Supreme Government, and to its taking of the oath, on the eighth of the recently past July, to the constitution of the year thirty-six, as Your Excellency will see by the attached note no. 22. Thus we have accomplished this happy event without the shedding of a drop of blood, with an extraordinary saving to the Public Treasury, as also of soldiers who are much needed to subdue the enemies of the Fatherland. I congratulate myself that this solution did not hinder the measures which the Supreme Government may have dictated for the reestablishment of order (now accomplished) as Your Excellency feared in the warning that you gave me in the confidential note of May 28, last.

All of which I have the honor of communicating to Your Excellency so that you may see fit to place it in the knowledge of His Excellency the President, giving him on my behalf the most expressive greetings over such a happy outcome.

The great extent to which Captain Castillero has worked in order to achieve such a great goal, I believe makes him a creditor to Your Excellency's recommendation to His Excellency the President. Likewise the Reverend Father Fr. Felix Caballero, for having cooperated in such happy events with his influence and money, in spite of the very great scarcity of cash. Reiterating to Your Excellency the protestations of my most distinguished regard and consideration.

God and Liberty. Port of La Paz, September 16, 1837.

(Signed) JOSÉ DE CABALLERO.⁶¹

Most Excellent Sir,
General Commandant of Sonora, Arispe.

General Ygnacio Elias Gonzales, General Commandant of Sonora, received the letter on October 8, and at once forwarded the news to the Minister of War, along with the originals from Castillero and Caballero; adding the following recommendation for Castillero:

Your Excellency will please bring to the superior attention of His Excellency the President this satisfactory matter, which is truly due to the activity, exactness and love for the country's laws of Captain Don Andrés Castillero, whom I heartily recommend to the consideration of the Supreme Government for the service which he has just rendered; as also the Religious Fr. Felix Caballero to whom I likewise do the justice of recommending his good and patriotic services to Your Excellency.⁶²

By the time that this despatch arrived in Mexico, Castillero had already reported in person, so the War Department informed General Gonzales, thanking him for the information.⁶³

Captain Castillero and Ensign Estrada arrived in Mexico early in October and at once reported orally to the various officials. On October 21, 1837,

Castillero wrote some suggestions and an account of his activities in California, giving brief character sketches of some of the leaders with whom he dealt. It is here presented in full for the first time.

Early in May of this year the General Commandant of Lower California intimated to me by superior order that I was to march to Upper California, in command of the Company of the Frontier, so as to operate against the revolutionists. In effect, I set out from La Paz accompanied by eight men, maintained at my expense, because the assistant-quartermaster was unable to disburse any money; and when I arrive at the port of San Diego I learned that Captain Don Agustin Zamorano had attempted a reaction, declaring himself for a plan of twenty-two articles which in substance reduced itself to the distribution of the public offices among the same insurgents, to the establishment of a consultative Assembly and to the union of the military and civil commands. In order to uphold the plan, Zamorano added a company of American riflemen and some colonists to the local people.

Informed of the plan and project of the insurgents I immediately placed myself in touch with them and with the principal leaders of the revolution, making every effort to let the former know the impolitic idea that their plan contained and the displeasure with which the Supreme Government would look upon the cooperation of the foreigners in that affair; and trying to convince all of them of the advantages that they might hope for from the adoption of the only constitutional system which the majority of the Nation had accepted, and of the necessity that they should subject themselves to the Supreme Government whose wisdom would put an end to the difficulties that had arisen.

I managed, as a result of my efforts, to get them all to take the oath to the constitution, to give up without reservations, to remove all foreigners from public offices, to discharge the company of American riflemen, to dissolve the congress that they had convened, to reestablish the old territorial assembly, and to send a commission, to which I have the honor to belong, before the Supreme Government. All this appears in the documents which I have presented at considerable length.

I now pass on to give a slight idea of the persons who have figured most in that revolution, according to the concept which I have formed of them, from the intercourse which I have had and the information that I have acquired.

The Administrator of the Custom-house, Don Angel Ramirez, an apostate from the Mexican Religion and the Attorney, Don Cosme Peña, were the principal instigators of the uprising. Both were under arrest because they tried to make the Californians sell the Missions of San José and Santa Clara to the Americans so as to enter into a commercial company and to begin a revolution similar to the one in Texas. I used my influence so that they might remain in prison and I believe their residence in the country very dangerous.

Don Juan Bautista Alvarado, Inspector of the Customs in Monterey, served as the principal civil leader during the time of the revolution, and he made improvements. He is the best informed person known thereabouts, and as soon as he became aware of the necessity for changing his ideas he acted with the greatest celerity and he influenced greatly in the restoration of order. In my estimation he is ambitious, and appears to have good habits.

Don Guadalupe Vallejo, Lieutenant of the company of the Northern Frontier, who was the general commandant of the revolutionists, is active, of stern mien, and maintains the troops in rigorous discipline; he is an enemy of popular government, and has his influence only in the vicinity of San Francisco which is the northern part of California where he has always lived. A military decoration might be sufficient to keep him in favor of the government.

Don José Castro, Lieutenant-Colonel of Civil Militia, is whatever Alvarado and

Vallejo wish him to be; he is of a timid and peaceful disposition, of little intelligence, and of some influence among the soldiers he commands.

Don Carlos Carrillo is a man of little character, presumptuous of his knowledge because he has been to Mexico, very addicted to money and he always follows the winning party. During the revolution he kept his position as administrator of Mission San Buenaventura. One of his sons was an officer in the insurrection, and has been accused at various times of being a cattle-thief, and the said Don Carlos has three daughters married to Americans who are well established in the country.

Don Antonio his brother, lately a Deputy to the General Congress, is the worst man known to Upper California, without morals, without manners, of perverse heart, there never having been a revolution in the country in which he was not involved. He never stops at any means in carrying out his aims. He came to Mexico as deputy due to the influence of General Figueroa who wished to remove him from California.

Don Juan Bandini, native of South America, is the one who sowed the first seeds of independence in that soil, always fertile in governmental reforms; he has the authorities always in a quandary. He has stirred up the country several times, and if he did not take part in this uprising, it was because he was unable to get the highest post that he desired, that of inspector of the Customs of both Californias, with a large salary, which was promised to him by Don Valentine Gomez Farias when the latter was president.

The New California due to its topographic situation carries on the exchange of its products along the coast very easily. All its towns and missions are established very near to the best ports, so that the national and foreign vessels are like moving stores which remain more than a year selling their merchandise and collecting the payments of hides and tallow to carry them to Lima and North America. Due to this custom and because it is a newly settled country there has been carried on in it, almost by necessity, this commerce by barter, without its being possible to enforce the law on the subject there, and to forbid it would be a hardship to the class that needs it most. In order to prevent the contraband and so that the land trade would not suffer, it would be necessary to prevent the retail trade aboard; the sales should take place on land or by consignment. The national vessels that trade on those coasts, also the schooner *California*, should in my opinion be armed for war, for the safety of those ports and the waters of the Department. The frontier of Lower California should have a stronger force, increasing the number in the company up to one hundred men in order to aid the government of the Department and to prevent the raids of the savages in the southern part.

The proximity of Upper Sonora to California might serve so that the General Commandant of the former might be subject to the military command of the latter; placing in it a Principal Commander, native of the country, that is, if the former should merit the full confidence of the Government. It might also be opportune to post some force at Altar, a place close to the river road, so that, united to the frontier company in a given case, it may aid the Department, may make correspondence with the Supreme Government easier; and to establish the mail by that route because it is the shortest and surest road to this Capital.

The continual passage of troops might prevent the entry of hunters and adventurers from North America who carry on a scandalous robbery of pelts and horses through that section.

It seems to me convenient that so long as the Government does not place a respectable force in the Department, for the safety of California, the advanced posts of which I have spoken, Altar and that on the frontier of Lower California, should be kept reenforced, only leaving in the interior of the country the hundred men that there are there under arms with their own officers, and in case that it might be judged necessary to create a force, let it be on the frontier, keeping it there on the pretext of the Indian raids, it being possible to recruit the Dieguinos who have always been most friendly.

The Americans when traveling light can go from their establishment on the Columbia River to our port of San Francisco in nine days. The establishment belongs to the British, but the Americans have taken possession of it. The Supreme Government might well make a representation to the British Minister over this and point out to him at the same time the smuggling which the northern adventurers carry on in the beaver trapping, in the hope of stirring the interest of that nation, and by its complaints we might manage to expel from that near-by place the Americans who are now in contact with Texas.

It might also be worth while if the Principal Commander in conjunction with the civil governor of Lower California, making free grants of land on the frontier, should protect the movement of their citizens without showing any favoritism in it, taking care that honest and useful men shall go there for whatever contingency in which the fatherland may need them.

Upper and Lower Californias should not be governed by one governor nor should they have only one Court of Justice, because, being separated by a desert of more than three hundred leagues, the gubernatorial decisions could not be communicated quickly, and the easy and prompt administration of Justice would be lacking. There would arise between the two the jealousies born of the small ambitions of the civil command. Neither is there in both Californias any one who has the capital indicated by law, in order to become governor, senator or deputy. In this matter I believe some allowances should be made.

All the employees who did not embark, at the time of the last revolution, as well as the exiled ones, should not return to California, as much for their lack of energy in the handling of the troops as because of the old enmities that have sprung up between them and the Country, as well as because some of them tacitly approved the revolution. Those excepted from this are Lieutenant Don José Maria Cosío, Ensign Don Nicanor Estrada and Don Juan Rocha. Captain Juan Maria Ybarra and the Director of the National School, Don Mariano Romero.

The twenty-one missions situated on the coast, if they are administered with economy, can well care for the Indians and can yield the government much revenue on the condition that an inspector be appointed who will audit the accounts monthly. The national schooner *California*, now the property of the government, can bring some products of the country, from the Missions to the ports of the South Sea, carrying back goods necessary to the garrison.

The Reverend Father President of the Missions of Lower California, Fr. Felix Caballero, will pledge himself to cover the salary of the Company of the Frontier, on the condition that he be given a discount on duties at some one of the ports of our republic on the Pacific Coast, for the vessel on which he may send the certified account of said expenditure.

The Port of San Francisco is fortified and a garrison should be placed there at all cost, since it is one of the largest in the world, and it is the object of all the ambitions of the Americans who have none on the Pacific Ocean. The one of San Diego needs some repairs, and in the gorge that separates Upper from Lower Californias I believe a fort necessary, because it is a strategic point.

The convicts which the Supreme Government has sent to the Department since the year 1810 are not convicts there, because, not knowing where to get the means to keep them, they have been given the territory as their prison. Some of them have committed crimes that have remained unpunished due to the distance of the courts in which their cases should be tried. Perhaps it might be remedied if the desert islands of Santa Barbara were to serve as prisons, obliging those who are condemned to them to cultivate the soil and thus prevent on the other hand some ambitious person from populating them with other people.

LOWER CALIFORNIA.

It is necessary to place a garrison in that territory at Cape San Lucas; all vessels that sail from the ports of Guaymas, Mazatlan, and San Blas, must pass near it, and if the Americans, due to the ambitious aims which they manifest, should seize this point and should fortify it and keep two war ships cruising those waters, they would hold a small Gibraltar which would deprive us of the trade of the South Sea, and they could attack our coasts; furthermore, there are fifty or sixty American whaling vessels which alternately go there annually on the pretext of refreshing their stores and carry on a scandalous contraband.

The national schooner *Correo Mercado* should be in the port of La Paz at the orders of the General Commandant, so that that coast may be looked after and that it may carry the money for the troops from Mazatlan by a paymaster. There is a naval officer who will take the vessel on his own account, pledging himself to perform the services with that vessel, without any expense to the public treasury. In this way one might prevent the money changing that the merchants and treasury employees carry on at the expense of the garrison, forcing them to take only goods at a very high price, and in order to realize something on them the soldier in most cases has to lose half the value.

Mexico, October 21, 1837.

(Signed) ANDRÉS CASTILLERO.⁶⁴

This report indicates that Castillero was a very loyal, patriotic man possessed of keen powers of observation. Moreover, he was a person with diplomatic ability, who knew when to bluff, when to be firm and when to yield. He played his cards well and deserved all the fine commendations given to him by his immediate superiors.

While Castillero and Alvarado were negotiating near Santa Barbara early in July, some Mexican citizens and sympathizers started an insurrection at Monterey, which its leaders claimed was largely responsible for Alvarado's acceptance of the constitution of '36. This revolt occurred at 3 P. M. on July 1, 1837, under the instigation of two Mexicans, Angel Ramirez and Cosme Peña; who eight months before had helped Alvarado start his revolution. They were dissatisfied with their share of the spoils and angered by the harsh treatment meted out to some of the Mexican residents in Monterey. As a result they decided to attack Alvarado from the rear when they heard that the San Diego army was marching upon Santa Barbara.

The rebels to the number of about fifty, led by Captain Francisco Figueroa, brother of former Governor Figueroa, Sergeant Santiago Aguilar, director of the territorial government's printing press, and José Maria Castañares, former clerk in the custom-house, overpowered the small garrison commanded by Captain Jesus Pico. They seized the fort and presidio with all the arms and ammunition and made ready to repulse a siege. However, they failed to provide a sufficient supply of water and wood in the short time at their disposal. Consequently on July 3, when Captains José Maria Villavicencio and Isaac Graham with some of Alvarado's troops and American riflemen laid siege to Monterey, the rebels were forced to surrender. The leaders were then sent to Sonoma where they were held prisoners by Vallejo for several months. When Alvarado returned to Monterey some of them were freed.

On October 8, Castañares, Aguilar and others, sailed for Mexico aboard the *Griffon* and landed at Mazatlan, from whence the former sent the government a long report on October 30 concerning their revolution. It said in part:

The news of the capture of Monterey that was received by the usurping Governor Alvarado at Santa Barbara; the army from San Diego which threatened him on the other side; and the almost certain arrival overland of General Urrea, that was announced, put him (Alvarado) in such a state of fear, that seeing himself almost lost, and unable to do anything else, he availed himself of the opportunity of requesting an interview with Captain Castillero, offering to submit to the Supreme Government, but on the express conditions that Castillero should offer them in the name of the Supreme Government, that never again would Mexican officials come to govern them; and moreover, that it would be a fine gesture on the part of the government, if those who were to govern that Department should be some of their own native sons.⁶⁵

From the preceding statement we see that the gentlemen from Monterey overestimated the importance of their small uprising. By July 1, Alvarado had agreed with Castillero to take the oath, and as the northern revolt did not start until then and the news of it did not reach Alvarado until a week later, it could not have had much influence in causing Alvarado to accept the new constitution.

Furthermore, the report stated that although Alvarado had sent an order to all the towns to take the oath, General Vallejo, his officers, troops and many citizens had refused to take it. All of which was proof that Castillero's report that the whole territory had taken the oath was erroneous. It also proved that it was not taken in good faith. He complained bitterly of their imprisonment at Sonoma and of the insults and bad treatment other Mexicans received. As proof of the insincerity of the Californians, Aguilar said that the *Griffon* brought two hundred rifles from the Sandwich Islands which Alvarado accepted in exchange for the duties on the cargo; later sending obscene and insulting oral messages to Colonel Gutierrez, to the effect that should he return, they would use the rifles to resist him.⁶⁶

Undoubtedly, some of the Californians were insincere in taking the oath, while others refused to take it. There is also little doubt that some of the Mexicans were mistreated, since there was little love lost between them and the Californians. But it is quite evident that the Aguilar report was greatly exaggerated, due to the resentment that he felt over his arrest and imprisonment.

A letter written by the chronic malcontent Don Santiago Argüello to his brother Gervasio, who lived in Guadalajara, had much the same tone. Writing on November 1, he made many similar charges to those of Aguilar against Vallejo and Alvarado. He accused Castillero of being a party to all of Alvarado's actions, since he knew that the oath was being evaded by the Californians, and that the revolutionists still continued to act as they had done from the beginning. In spite of Castillero's statements, the only reason why the

Monterey party took the oath was to destroy the San Diego army. The proof of this was that Castillero did not use his influence to have Captain Portilla as general commandant; but instead, contributed in taking away his forces and leaving him helpless. Moreover, Alvarado was left with all the functions of the executive, legislative, judicial, military and fiscal departments. Finally, Castillero had issued an order prohibiting the sending of mail to Mexico except with his signed permission, which order was issued at the time that he sailed. All of which was done so that the government might not hear about the mess that he had made of things until after he had arrived there. According to Argüello, conditions were worse than before, and in addition all actions were now clothed in the cape of legality. Thus, due to Castillero's activities, the revolutionists would be placed in a favorable light before the government at the expense of the San Diego party. Furthermore, Castillero was doing his best to prevent the sending of troops from Mexico.⁶⁷

Looking at the preceding statements from the San Diego point of view, most of Argüello's arguments had much to recommend them. Undoubtedly, had Castillero used his influence, Portilla would have retained the military command. But Castillero had known Portilla for some years and knew him to be a lazy, weak and lax field commander, devoid of initiative and incapable of keeping his forces under a rigid discipline. To have retained him in command, would have meant continual trouble and lack of cooperation between the civil and military leaders. Therefore, he chose to sacrifice Portilla rather than the peace of California; which after all was the only wise thing to do. Moreover, when Argüello wrote this letter he had just suffered heavy losses due to the Indians, and being disgruntled, he was looking at the world through jaundiced eyes, which warped his views considerably.

Don Gervasio Argüello at once turned his brother's letter over to the Commandant of Jalisco, Don Manuel Cervantes; who forwarded it to the Minister of Interior, Don José Antonio Romero. He recommended the Argüellos highly, asking that their statements be given consideration, for California was in great danger of suffering the same fate as Texas. Therefore, it was imperative that a prudent, honest, wise and patriotic commander should be sent at once, with at least one hundred and fifty well equipped men to pacify and protect California. The funds with which to pay the expenses of the expedition might be borrowed from the Pious Fund and later repaid from the revenues of the Monterey custom-house. Cervantes, however, did not think very highly of the appointment of Don Carlos Carrillo as governor of California, stating that the latter had not behaved very honorably and had taken a large part in the last revolution.⁶⁸

On December 5, 1837, the Naval Commandant of San Blas, Don Francisco Anaya, had Santiago Aguilar make a formal disposition under oath about conditions in California. This was forwarded to the Minister of War, and received on December 13. Aguilar reiterated all that he had said in his report

from Mazatlan; but laid special stress upon the activities of the Americans, and upon Castillero's part in keeping Alvarado in power. He said that Castillero had promised in the name of the government, that it would not interfere with the Californians in anything; that all the principal officials would be native Californians and that Mexicans would no longer rule them.⁶⁹

With all those adverse reports of criticism reaching the government, soon after he arrived in Mexico, Castillero found it increasingly difficult to convince the administration that Alvarado should be given a permanent appointment as governor of California. It is impossible to say what methods he used in arguing his case, as most of the negotiations were conducted orally and only occasionally did he put anything in writing. On one of these rare occasions, December 19, 1837, he wrote a brief letter to the War Department stating reasons why some of the Mexicans in California had been imprisoned. Evidently, after receiving Aguilar's sworn statement the Minister of War called Castillero to answer the accusations made against him.

He replied that Cosma Peña and Angel Ramirez, besides appropriating some of the money from the customs revenues, also tried to sell Missions San José and Santa Clara to some Americans from the Sandwich Islands, so that they might form a commercial company like the one in Texas. He, therefore, on hearing of their intentions to destroy the integrity of the republic, had them put securely in prison. Santiago Aguilar and Ayala were arrested because they attacked Monterey, captured the quartermaster stores there and started a revolt just at the time that he was negotiating with Alvarado and the Territorial Assembly to take the oath, almost ruining the agreement. As for Don José Castañares, he of the adultery case, the least said the better, but he would refer the government to the report of the General Commandant of the Department, Don Mariano Chico, which was on file in the Ministry of War.⁷⁰

Castillero wasted little time in answering his accusers, because he only had to show that they were engaged in criminal activities. However, he had greater difficulties to overcome in helping Alvarado, because on arriving in Mexico, he found that as early as the month of June the government had appointed Don Carlos Carrillo as governor of California. Not only did that appointment make it extremely difficult for Castillero to get Alvarado accepted as governor, since Carrillo's appointment first had to be revoked, but also, all of Castillero's work in pacifying California had practically been undone.

While Castillero had been on his way up to California, Don José Antonio Carrillo, California's Congressman, had persuaded the President that if his brother was chosen the Californians would be pleased and peace would settle over the territory without the aid of the proposed army. Perhaps all would have gone well had the official news of Carrillo's appointment been received quickly in California. Instead, the appointment was a month old at the time that Alvarado and his party, of which Don Carlos was a member, took the

oath to the constitution. Months passed, peace was established, Castillero was back in Mexico and still no news had arrived here that Carrillo was to be the new governor. It was not until October 20, that Don Carlos received the news from his brother Don José who was in Lower California on his way home. It was not until October 30, that Alvarado received a copy of the appointment, but without official confirmation from the administration. It was not the kind of news for which Alvarado had been waiting, so it was received by all with mingled emotions. Alvarado and the northerners were stunned; while Don Carlos, who had been one of Alvarado's loyal southern supporters, was undecided. The Los Angeles politicians were jubilant and lost no time in congratulating the new governor, as well as inviting him to make that city his capital. Since his appointment order also gave him the choice of a town for his official residence, they felt sure that being a southerner he would choose Los Angeles. He being a weak man, of little executive ability and less common sense, fell in with their idea.

The San Diego party, which had suffered defeat at Alvarado's hands, was naturally only too eager to join Carrillo. To all the southerners the only thing that mattered was to make Los Angeles the capital and to defeat and get rid of the usurper Alvarado.

The Carrillo appointment placed Alvarado in a very difficult position. If he really was loyal to the government he would have to give up his office without question. Yet if he could only delay that event, he might receive news that Castillero had succeeded in getting him recognized by the administration. Such recognition was essential to extricate him and his followers from the dangerous situation into which they had fallen. As successful rebels they had a chance to negotiate with the government for favorable terms, but should Alvarado surrender his advantage and become a private citizen, the government might easily and legally take him and his aids and shoot them as traitors. Furthermore, in order to change incumbents in office, it was customary for the retiring official to receive an order to surrender the office to the new appointee. Should such an order arrive for Alvarado, that in itself would constitute recognition. Since that order did not arrive immediately, he decided to use its non-arrival as a pretext for delay. That would give more time for the arrival of news from Castillero.

On October 31, Alvarado issued a proclamation to the people stating the unofficial news of Carrillo's appointment, and his expectations of an official confirmation by the next mail. He said that as soon as he received it he would surrender the office to the new governor. Alvarado then wrote to Don Carlos on November 4, requesting an interview to discuss the matter of Alvarado's position, the delay in making the transfer and other details. To this request, however, Don Carlos turned a deaf ear, on his brother's advice and that of the other Los Angeles politicians.

To Carrillo and the southern leaders the delay was inexcusable; so the

southern municipal authorities refused to recognize Alvarado, and Los Angeles invited Don Carlos to establish his government there at once. The reason for the southerner's refusal of Alvarado's request was that they feared to trust the easily influenced and weak Don Carlos to the wiles of the persuasive Don Juan B. Alvarado; and the Carrillos feared Castillero's influence in Mexico and knew that delay would be fatal to their plans. Should Castillero arrive with an order that if no change had been made none need be effected, their cause would indeed be lost.

During all of November Alvarado kept delaying the surrender of his office. Finally on December 1, the City of Los Angeles furnished a house as the temporary capitol. The town assembly met in special session on the 4th, to make the necessary plans for the inauguration of Don Carlos as governor. With the people of the city and surrounding country assembled in the plaza, the new governor took the oath of office at 9 A. M. of December 6, amid great solemnity, ringing of bells, salvos of artillery, mass, Te Deum, patriotic speeches and the lusty *vivas* of the multitude. The festive day was followed by a night of banqueting, dancing, illuminations, fireworks and much reveling. Don Carlos, on accepting the congratulations of his followers, issued a grandiloquent address asking for the cooperation and unity of all factions. To this, the San Diego party responded with its recognition of Don Carlos on December 9. Governor Carrillo then sent his brother Don José to Santa Barbara to win its support. But conservative, honest Santa Barbara, in spite of being full of friends and relatives of the Carrillos, and notwithstanding all of Don José's pleas, eloquence and threats of the coming Mexican army, refused to change its allegiance. Its people had sworn to support Alvarado and they considered their oath as binding, until such time as the office was legally transferred.

For the rest of the year nothing was done by either side, except to carry on a more or less formal correspondence. As time went on, however, Carrillo grew more and more insistent that Alvarado should surrender the office without delay, and refused to recognize any right on the latter's part. He also virtually became the leader of the faction that had so long struggled against Alvarado and himself. All of which only served to create a general confusion among the people of all sections including his own Santa Barbara.

By January, 1838, the issues had been drawn and the peace of California was again broken. All of Castillero's work of the previous year was now undone, through the ignorance of the government, the ambitions of the Carrillos and no fault of his own. We need not go into the details of the 1838 campaigns here; other histories have done that.⁷¹ Suffice it to say that early in January Carrillo sent a request to Mexico for two hundred armed men. By February, California was again engaged in civil war and the armies of both factions were marching and counter-marching over southern California. In all the campaigns, the Alvarado armies had the decided advantage of more active,

able and resolute leadership; so that by midsummer of 1838 Carrillo's army had been crushed and the pretender as well as most of his followers were safely in prison either in Santa Barbara or Sonoma.

Meanwhile, Castillero had been laboring in Mexico. He had conferences with cabinet ministers and the president, trying to bring about a definite solution to California's troubles by advising the rejection of Carrillo and the appointment of Alvarado in his place. However, due to the general apathy of the Mexican Government toward all things Californian and to the perpetual unrest that troubled Mexico, Castillero encountered almost insurmountable obstacles to his plan. It was not until the reports of the new civil war in California began to arrive in Mexico, in 1838, that the administration began to pay heed to the situation. By that time, also, trouble with France was in the air and it behooved Mexico to have California at peace or it would have some foreign power fishing in those troubled northwestern waters. Thus, when the news of Alvarado's success in crushing Carrillo in April, 1838, arrived in June, the government began to act.

On August 13, the *Catalina* arrived at Monterey with a letter from Castillero to Alvarado, saying that he had finally succeeded and that he was about to start for California as a commissioner from the government. On receipt of that letter, Alvarado gave up all idea of surrendering his office until Castillero's arrival. There was nothing to do but await the *California's* arrival with Castillero aboard, but due to the war with France, his departure was delayed from July until September and it was not until November 15, that the *California* anchored at Santa Barbara. On landing, Don Andrés sent word to Alvarado and Vallejo that he had brought documents that would establish them in their offices, and requested them to come south for a personal conference.

The most important of the documents brought by Castillero were: a decree of June 30, 1838, creating the Department of California;⁷² a commission as captain of the San Francisco Company for Vallejo;⁷³ a vote of thanks to the Department for the gift of the *California* to the nation;⁷⁴ a decree of amnesty for all political acts and opinions during the past troubles; with an order to Carrillo stating that Alvarado should act as temporary governor;⁷⁵ an appointment for Vallejo as General Commandant;⁷⁶ and finally, personal letters to both Alvarado and Vallejo from President Bustamante, who expressed his high esteem for them and confidence in their patriotism and ability to conduct California's affairs in the future.⁷⁷

With the arrival of the new appointments, Alvarado's main troubles were over, although he still had to contend with minor insurrectionary movements conducted by the Carrillo sympathizers during the early part of 1839. They naturally felt resentful at being left out, and denounced the base ingratitude of the Mexican Government in rewarding rebels while its loyal citizens were not even thanked. The loyalty of the southerners, however, may well be dis-

counted. Thus by the summer of 1839, Alvarado was firmly established as governor and the course of California politics was again running smoothly.

In conclusion, it may be said that Castillero had served Don Juan Bautista and California well. He had come almost on his own initiative and with only the weakest of official commissions, yet by dint of his energy, sagacity and tact he had averted a civil war and straightened out a badly tangled political situation. On arriving in Mexico he found the results of his labors undone by the ignorance of the government, and California again plunged in a worse mess. By slow, patient work which at times must have been exasperating and must have seemed almost hopeless, he finally succeeded in once more establishing peace in California. In so doing, he stamped himself as an able, patriotic, unselfish statesman and prudent soldier; one who had an intimate knowledge of California politics, as well as a keen appreciation of its potential riches and worth, and its eventual future development. Such a man was well worthy of all the honors that a grateful government might bestow upon him.

Having finished his work in bringing peace to California, he was granted Santa Cruz Island as a reward for his labors, in 1839. During the early part of 1839, Don Andrés was elected as congressman from California, and on May 17, sailed for Mexico aboard the *California*. There he served capably, later being appointed as paymaster general for California in Mexico. In 1841, he was still writing reports on the condition of the military defenses of California and urging the government to take some action, or the territory would be lost.⁷⁸ He remained in Mexico until September, 1845, when he returned to California as commissioner from the government, this time to prepare for the arrival of Mexican troops which the government was planning to send to defend the territory against the Americans. During October and November of that year he made a tour of inspection to the northern frontier including Sonoma and New Helvetia. He also had hopes of negotiating the purchase of Sutter's holdings and fort in order to establish a Mexican outpost there, by means of which American immigration to the Sacramento Valley might be stopped. Castillero distrusted the patriotism of John A. Sutter, so far as his loyalty to Mexico was concerned; and he wanted to remove him from that vital spot in the interior valley because he was certain that Sutter was giving too much aid to the Americans. Also during 1845 Castillero became interested in and denounced the famous New Almaden quicksilver mine south of San Jose.

Early in 1846 he again returned to Mexico to make a report and to speed up the military measures which he knew were so urgently needed, if California was to be saved to Mexico. While he was in Mexico the war with the United States began, and in it he took part. He did not return to California until after the war was over, when he came to attend to his mining interests. In 1849 he became involved in litigations over the mine. These lasted from 1849 to 1861,

when he finally gave up his holdings. During all those years he lived mostly in Mexico, making several trips to California.⁷⁹ After 1861 his name appears no more in the annals of California, and the details of the remainder of his life are obscure. There is no doubt that he served California with distinction. Would that the territory had had a few more men like him! Then its history might have been vastly different during the Mexican period.

NOTES TO DOCUMENTS

1. H. H. Bancroft, *History of California*, 111, 445-544, gives a detailed account of the Alvarado revolution.
2. *Ibid.*, 414-44, gives a detailed account of the events leading up to the attack on Monterey on November 3, 1836.
3. *Ibid.*, 459-77, deals with the subject of recognition of the government.
4. A. M. Osio to M. G. Vallejo, Los Angeles, Nov. 26, 1836, in Vallejo, Doc. Hist. Cal., MS, 111, 270.
5. J. Bandini to M. G. Vallejo, San Luis Rey, Dec. 3, 1836, *ibid.*, 274.
6. P. Pico to M. G. Vallejo, San Luis Rey, Dec. 3, 1836, *ibid.*, 275.
7. C. A. Carrillo to M. G. Vallejo, L. A., Nov. 26, 1836, *ibid.*, 273.
8. C. A. Carrillo to M. G. Vallejo, Santa Barbara, Dec. 5, 1836, *ibid.*, 276-78.
9. Proceedings of Los Angeles Ayuntamiento, Nov. 17, 1836, in Los Angeles Archives, MS, IV, 197-200.
10. A. M. Osio, History of California, MS, 318-20.
11. Proceedings of San Diego Ayuntamiento, Nov. 22, 1836, Justicia, MS, CLXXXII, Archivo General y Publico de Mexico.
12. Instructions to San Diego Commissioners, Nov. 22, 1836, *ibid.*
13. L. del Castillo Negrete, advice to L. A. Ayuntamiento, San Diego, Dec. 5, 1836, L. A. Arch., MS, IV, 213-14; Dept. State Papers, Los Angeles, MS, II, 58.
14. Plan of Los Angeles, Jan. 3, 1837, L. A. Arch, MS, I, 126-27.
15. G. Ibarra and J. A. Estudillo to Mil. Com. of the Frontier of L. Calif., Los Angeles, Jan. 10, 1837, MS, 52-6-9-2, Archivo General de Guerra y Marina, Mexico.
16. H. H. Bancroft, *op. cit.*, III, 491-99.
17. Proceedings of L. A. Ayuntamiento, Jan. 26, 1837, in MS, 52-6-9-2, *op. cit.*
18. N. Gutierrez to Min. of War, Cape San Lucas, Nov. 30, 1836, MS No. 1, 52-6-9-2, *ibid.*
19. N. Gutierrez, J. J. Rocha, J. M. Ramirez, to Min. of War, Nov. 30, 1836, MS, 52-6-9-2, *ibid.*
20. S. Argüello to Min. of State, San Diego, Dec. 25, 1836, MS, Justicia, CLXXXII, *op. cit.*; same to same, March 15, 1837, MS, 52-6-9-2, *op. cit.*
21. Congressional decree, Mexico, April 1, 1837, MS, No. 14, 52-6-9-2, *ibid.*
22. L. F. Manso to War Dept., Mexico, June 6, 1837, MS, No. 34, 52-6-9-2, *ibid.*
23. J. M. Mata to War Dept., La Paz, March 30, 1837, MS, 52-6-9-2, *ibid.*
24. J. Caballero to A. Castellero, La Paz, April 12, 1837, MS, 52-6-9-2, *ibid.*
25. War Dept. to J. Caballero, Mexico, May 16, 1837, MS, 52-6-9-2, *ibid.*
26. War Dept. to Int. Dept., Mexico, May 1 to 29, 1837, MS, No. 18, 52-6-9-2, *ibid.*
27. Plan of San Diego, Camp of la Palma, May 15, 1837, MS, No. 1, 52-6-9-2, *ibid.*
28. P. dela Portilla to Min. of War, San Diego, Sept. 12, 1837, MS, 52-6-9-2, *ibid.*
29. M. Peña y Peña to C. A. Carrillo, Mexico, June 6, 1837, MS, No. 35, 52-6-9-2, *ibid.*

30. P. Portilla, report to Min. of War, San Diego, Sept. 12, 1837, MS, No. 39, 52-6-9-2, *ibid.* Portilla's report is a long and illuminating document giving a day to day account of his march to San Fernando and return to San Gabriel.

31. H. H. Bancroft, *op. cit.*, III, 521-22; Bancroft states that Bandini and others even accused Castillero of forging his credentials, which was of course false.

32. P. Portilla, report to Min. of War, MS, *op. cit.*

33. H. H. Bancroft, *op. cit.*, III, 520.

34. H. H. Bancroft, *ibid.*, 521, claims that Castillero ordered the taking of the oath, while Portilla in his report claims the honor. It seems likely that Portilla as commander of the army would issue the order at the suggestion of Castillero, who administered the oath as government commissioner.

35. Proceedings of council of war, San Fernando, June 26, 1837, MS, No. 1, 52-6-9-2, *op. cit.* This document was signed by Portilla, Castillero, Aniceto Zavaleta, J. M. Ramirez, J. A. Pico, N. Estrada, and A. V. Zamorano as secretary.

36. P. Portilla, instructions to Castillero, San Fernando, June 27, 1837, MS No. 2, 52-6-9-2, *ibid.* These documents were not available to Bancroft, and are here presented for the first time.

37. A. Castillero to Min. of War, Mexico, Oct. 21, 1837, MS, No. 53, 52-6-9-2, *ibid.*; H. H. Bancroft, *op. cit.*, III, 526. He states that no records were left, but there were some extant in Mexico, and these are here presented for the first time.

38. A. Castillero, *ibid.*

39. J. B. Alvarado to A. Castillero, Santa Barbara, June 30, 1837, MS, No. 3, 52-6-9-2, *ibid.*

40. A. Castillero, report to Min. of War, Mexico, Oct. 21, 1837, MS, No. 53, 52-6-9-2, *ibid.*

41. P. Portilla to J. B. Alvarado, San Fernando, July 2, 1837, MS, No. 5, 52-6-9-2, *ibid.*

42. P. Portilla to San Diego Ayuntamiento, San Fernando, July 4, 1837, in Hayes, Doc. MS, 73, Bancroft Library.

43. J. B. Alvarado, address to people, Santa Barbara, July 9, 1837, MS, No. 4, 52-6-9-2, *op. cit.*

44. S. Argüello to P. Portilla, San Diego, July 8, 1837, MS, No. 1, 52-6-9-2, *ibid.*

45. J. B. Alvarado to P. Portilla, Santa Barbara, July 14, 1837, MS, No. 6, 52-6-9-2, *ibid.*

46. P. Portilla to J. B. Alvarado, San Gabriel, July 17, 1837, MS, No. 7, 52-6-9-2, *ibid.*

47. A. Castillero to J. Caballero, San Gabriel, July 18, 1837, MS, No. 22, 52-6-9-2, *ibid.*

48. J. B. Alvarado to M. G. Vallejo, Santa Barbara, July 12, 1837, MS, Vallejo, *op. cit.*, IV, 282.

49. J. B. Alvarado to M. G. Vallejo, July 17, 1837, MS, *ibid.*, 283.

50. S. Argüello to P. Portilla, San Diego, July 28, 1837, MS, No. 2, 52-6-9-2, *op. cit.*

51. P. Portilla to S. Argüello, San Gabriel, July 30, 1837, MS, No. 3, 52-6-9-2, *ibid.*

52. J. B. Alvarado to P. Portilla, Santa Barbara, July 30, 1837, MS, No. 8, 52-6-9-2, *ibid.*

53. M. G. Vallejo to P. Portilla, Sonoma, Aug. 1, 1837, MS, No. 7, 52-6-9-2, *ibid.*

54. P. Portilla to Min. of War, San Diego, Sept. 12, 1837, MS, No. 39, 52-6-9-2, *ibid.*

55. S. Argüello to G. Argüello, San Diego, Aug. 22, 1837; MS, 52-6-9-2, *ibid.*

56. J. B. Alvarado to Min. of Int., Santa Barbara, Aug. 24, 1837, MS, 52-6-9-2, *ibid.* This report was forwarded to the War Department by that of the Interior on December 3, 1837. The other documents sent by Alvarado were evidently not forwarded. Unfortunately, in 1919 the archives of the Department of the Interior were removed to the

custody of the National Archives. Having no place to store them, they were kept in the basements of old abandoned convents, where moisture and rats have played havoc with them. It is almost impossible to locate them now, as most of the bundles have been broken in moving them from place to place.

57. A Castillero to Min. of War, Acapulco, Sept. 15, 1837, MS. 52-6-9-2, *ibid.*
58. War Dept. to A. Castillero, Mexico, Sept. 30, 1837, MS, 52-6-9-2, *ibid.*
59. T. Moreno to Min. of War, Acapulco, Sept. 16, 1837, MS, No. 213, 52-6-9-2, *ibid.*
60. War Dept. to T. Moreno, Mexico, Sept. 30, 1837, MS, 52-6-9-2, *ibid.*
61. J. Caballero to Mil. Com. of Sonora, La Paz, Sept. 16, 1837, MS, No. 21, 52-6-9-2, *ibid.*
62. Y. E. Gonzales to Min. of War, Arispe, Oct. 8, 1837, MS, No. 48, 52-6-9-2, *ibid.*
63. War Dept. to Y. E. Gonzales, Mexico, Nov. 6, 1837, MS, 52-6-9-2, *ibid.*
64. A. Castillero to Min. of War, Mexico, Oct. 21, 1837, MS, No. 53, 52-6-9-2, *ibid.*
65. J. M. Castañares, S. Aguilar, report to War Dept., Mazatlan, Oct. 30, 1837, MS, 52-6-9-2, *ibid.*
66. J. M. Castañares, *ibid.*
67. S. Argüello to G. Argüello, San Diego, Nov. 1, 1837, MS, 52-6-9-2, *ibid.*
68. M. Cervantes to J. Romero, Guadalajara, Nov. 24, 1837, MS, 52-6-9-2, *ibid.*
69. F. Anaya to Min. of War, San Blas, Dec. 7, 1837, MS, No. 103, 52-6-9-2, *ibid.*
70. A. Castillero to Min. of War, Mexico, Dec. 19, 1837, MS, No. 27, 52-6-9-2, *ibid.*
71. H. H. Bancroft, *op. cit.*, III, 534-72, gives a full account of all campaigns.
72. Decree of June 30, 1838, in Vallejo, *op. cit.*, MS, V, 251.
73. Military Commission, July 9, 1838, *ibid.*, I, 12.
74. Vote of thanks, July 10, 1838, *ibid.*, V, 110.
75. Amnesty decree, July 20, 1838, *ibid.*, V, 268.
76. Min. of War to M. G. Vallejo, Mexico, July 23, 1838, MS, *ibid.*, I, 13.
77. A. Bustamante to J. B. Alvarado, M. G. Vallejo, Mexico, Sept. 13, 1838, MS, *ibid.*, V, 166.
78. A. Castillero to Min. of War, Mexico, Feb. 17, 1841, MS, Justicia, CLXXXII, *op. cit.*
79. H. H. Bancroft, Pioneer Register, *op. cit.*, II, 749, gives the necessary references.
80. Most of these documents were obtained in the Mexican archives, transcripts of which have been given to the Bancroft Library.



C. V. COOPER DEL.

BROWN & SEVERIN LITH.

G. W. LEWIS PRINT.

MORMON BAR, SOUTH FORK OF THE AMERICAN RIVER

Drawn by C. V. Cooper for Lettis' *California Illustrated*, N. Y., 1852.

SUTTER'S MORMON WORKMEN AT NATOMA AND COLOMA IN 1848

Was Shadrach Holdaway One of These?

By REVA HOLDAWAY STANLEY

SHADRACH HOLDAWAY was a tall, wiry, strong, silent, individual. He could do anything once he put his hand to it. He had gone to Nauvoo with his parents in 1844, when he was twenty-two years of age, to join the Mormons. There he had stayed until the exodus of the Saints when they were driven from their homes by the mobs. He had come originally from Tennessee where his father had been a wealthy slave-holder, but in Nauvoo all was different. There he had learned to be his own servant and to become self-sufficient, just as all the other Mormon citizens of Nauvoo were. It was at Mount Pisgah, Iowa, then winter quarters for the fleeing Mormons who were making their way into the unknown West, that he enlisted in the Mormon Battalion. From Mount Pisgah he went with his fellow volunteers to Council Bluffs where he joined Company C and marched away over the Santa Fe trail to California.¹

Holdaway stammered slightly and therefore spoke only when it was absolutely necessary. Although I had heard many interesting stories of his later life, from my father, his grandson, the first intimation that I had of the rôle Shadrach had played in California at the time of the discovery of gold was a statement made by his wife, Lucinda, in her autobiography printed many years after his death. The statement, though slightly inaccurate and not especially enlightening, invited research.²

On December 24, 1848, I was married to Shadrach Holdaway, age 26. He was one of the 500 Mormon Battalion who volunteered to fight in the Mexican War. At the close of the war he went with part of the company to California. Here he was discharged from service in the army. He was also among the first to find gold in California. Soon after he came to Salt Lake Valley.

The files of the Bancroft Library failed to yield any proof that Shadrach Holdaway was at Sutter's sawmill at the time of the discovery of gold. If the above quotation is true, then he was probably at the flour mill which Sutter was building at Brighton, sometimes referred to in the New Helvetia diary as "Natomo."³ Sutter had almost forty Mormons in his employ at the two places. We know the names of the six Mormons who were at the sawmill at the moment gold was discovered: Alexander Stephens, James S. Brown, James Barger, William Johnston, Azariah Smith and Henry W. Bigler. In all there are only twenty-seven Mormon names which can be traced as workers at the flour mill. These will be listed later.

There are three living children of Shadrach Holdaway today. One is too far advanced in age for his recollection to be reliable. The other two agree upon what their father has told them. But they can give little detail, since he acknowledged only the bare facts without elaboration and then only when they had heard stories elsewhere which they took to their father for verification. It was only by persistent effort that they were even then able to piece out the story. Logan G. Holdaway, his son, in a dictation given at Salt Lake City, May 20, 1934, says:

"Henry Bigler was a very good friend to my father, and it was at his home in Nephi where father was taken and cared for a few years after the gold discovery, when he was injured in that town.

"Father dug out about 2000 dollars in gold dust which he carried to Utah in 1848 and he used this money to take East for the purpose of buying a carding machine."

Since the Battalion members were paid very small wages, and since also Shadrach returned to Great Salt Lake Valley in the fall of 1848 with a great deal of gold dust, enough to buy machinery, we are forced to conclude that he must have obtained his dust as his fellow Mormons had done. To show that Shadrach did go East with this same dust to buy expensive machinery, his wife's autobiography is quoted further:

When we arrived at Fort Laramie, Brother Young [Lorenzo D. Young] made arrangements to take a wounded man down to the Missouri River. One evening after the man had got able to walk, he got out of the wagon and walked awhile. He came upon a camp of gold seekers who no doubt asked him all about the gold mines. He knew my husband had been to the mines and when we reached the camp they hailed us but we drove on. One of the men called after us, "That fellow has got his load and is going back to spend it."

Later on she states, "My husband, fearing that this man had planned to rob us, took his gun and sat down in the front of the wagon. I wanted him to let me take the sacks of gold out of the wagon and drop them a little way from the wagon. He would not consent to this."

All this took place early in 1849. On page 10, of the same little book: "On March 3rd, 1850, we left Lebanon to go to Kanessville, Iowa, where we would receive a shipment of woolen mills machinery which we were to take to Salt Lake Valley, this being the first machinery of its kind to enter that Valley."

In proof of her statement that he went East and purchased machinery for woolen mills we find in the Latter Day Saints' Journal History for May 27, 1849, "Charles Shumway wrote from the Upper Platte Ferry that his company arrived there on the 27th. Lorenzo Young, Dr. Bernhisel and Shadrach Holdaway had passed on for the States."

Now let us go back to the discharge of the Battalion and follow the course of these men in California. Bigler has written a full and complete record which is here quoted at length:

HENRY BIGLER'S JOURNAL⁴

"July 19, 1847. [Encamped at Los Angeles.] The Battalion was paid all except our transportation money all of which we never got (to this day)." The Hittell version adds: "We were solicited to re-enlist, and enough complied to make up a company. They elected Daniel C. Davis to be captain, and were sent to garrison San Diego." On the 20th, the others "went up the San Pedro River about 3 miles," according to the manuscript, "and hunted out a camping place where we began to gather and to organize and prepare for a general move for Beare River Valley (as we called it then) where [we] expected to meet or find our Church people. The boys had already the most of them bought animals to pack and ride and have everything ready for a move as soon as we got our discharge except a few who sailed up the coast to San Francisco. On the 21st day of July we made a move for home it being just one year since we took up our line of march at Council Bluffs."

At first they had intended to go by way of Walker's Pass, and started in that direction, but on Captain Everett's advice they gave up that idea and decided to go by Sutter's Fort. By August 20 they had reached the Merced River. Bigler's manuscript continues:

"Aug. 21. A council was held by the camp what was best to do in regard to fitting out a few of the boys who had started with us and were short of the necessary outfit to carry them through to where we might find our friends in the valleys of the mountains. It was decided that 4 men go ahead to Sutter's Fort and see Capt. Sutter and ascertain what he had to sell and how much meal, corn, wheat and flour, horses and mules and with their prices that we might know what we were able to do in fitting out those who were short and also to replenish our own stock of provision.

"Aug. 24. Traveled west some 18 miles and encamped on a river I think we called it the Macozamy [Cosumnes]. Here was a few american families liveing I think their names were Murphys still am not sure. It done our eyes good to see them, the wimen and children also chicking and milch cows and the large piles of wheat already thrashed and cleaned for the sack. It was said there was over two thousand bushels. Here it was where we herd for the first time where the Church was. We were told that Brigham Young and the Twelve with 300 pioneers had arrived at the Great Salt Lake and that 500 wagons were close behind."⁵

The fact that Shadrach Holdaway was with this group later would indicate that he probably was with them at this time.

"Aug. 26th. Laid by while some visited the Fort where there was a Blacksmith shop and got their animals shod as some of them were tender footed. We learnt there was plenty of grain and unbolted flour. Capt. Sutter seemed to have plenty of everything in the shape of cattle, horses and mules, grain, etc. Several of our boys concluded to stop here and go to work for Sutter as he was

wanting to hire and was offering pritty fare wages [\$25 to \$45 per month, according to the Hittell version of the Diary] as the boys thought and fit themselves up and come on the next spring."

It is an interesting sidelight upon this story to note that Sutter seldom mentioned the name of a Mormon. We find in the New Helvetia diary a complete and meticulous list of all personages passing through the Fort except that whenever they were Mormons he merely noted that so many Mormons came. Sutter listed even the difficult names of Indians but lumped all the Mormons together as if they were some strange animals without names. This habit of his makes it difficult to discover just whom he did hire, since all the payroll records for that particular period were destroyed accidentally by fire.

Bigler and his companions traveled on to Johnson's settlement on Bear Creek, then on into the Sierra Nevada past Bear Valley to the Truckee River, where they came upon a cabin near which they found several human skeletons, undoubtedly of some of the members of the Donner party.

"Sept. 6th. Soon after leaveing camp this morning we met Sam Brannan who had been up to Salt Lake to meet our emigration. He informed us that Captain Brown with his detachment from the Pueblo Country on the Arkansas was just behind on his way to Monterey to get their discharge and that the Capt. had a package of letters and also an epistle from Brigham Young and the Twelve to the Battalion Boys and as part of our com. was still behind, had not as yet overtaken the pioneers sence leaveing the settlements we concluded to turn back to our last camping place and there awate the arrivel of Capt. Brown and also for the rear part of our company where all mite be together and all hear the news.

"After we had returned to camp Brannan Stopped an hour or so to let his animal eat and to have a bit himself and talk with the boys. He was traveling alone. He and Capt. Brown had had a quarrel that morning (as I understood) and so sharp had words and threats been made that Brannan left the Capt. and his crowd to travel without his company. Mr. Brannan gave us a glowing account of the Great Salt Lake and country with its surroundings.

"7th. Late this afternoon the camp was all up and Capt. Brown had also arrived. Nearly every man got a letter either from his family or friends and truly we had a season of rejoicing together in the mountains although a few had news of sadness. They had either lost a loveing wife or a child or parent sence last they saw or heard from them.

"The Epistle was to the effect that all who had not families and those who did not expect to meet them at the Great Salt Lake before the next season and have not plenty of provision with them to last until the comeing harvest it would be wisdom for all such to return to California and go to work and fit themselves out with plenty of everything.

"While we were at this camp some of our boys went out a hunting and when they came in reported that they had found a shanty with the dead lieing about

it undisturbed by wild beasts the flesh seemed to be completely dried on their bones. . . .

"I understood they were Missourians emigrating last season to Cal. about 90 souls. They became short of grub and had fell out among themselves and become divided the able and strong pushed forward and reached the settlements and before help could be sent back a heavy snow storm had overtaken the companies and left them in the mountains. Even when help did reach them but very few was found alive. Children seemed to endure starvation better than adults. . . ."⁶

About thirty of the Mormon party (according to the Hittell version of the Diary), including Bigler himself, followed the advice of the epistle from the heads of the church, and started back on the 8th. The manuscript journal continues:

"Sept. 14th. At 1 P.M. we reached our old camp ground near Mr. Sutters. We sent 3 men to see Capt. Sutter late in the evening and they returned reporting they had seen Mr. Sutter and he was willing to give the whole of us employment. He would hire us by the month or by the job. We talked the thing over among ourselves that night and the next morning we closed a bargain with him to work the Race for 12½ per yard to be paid in cash, him to board us but we to do our own cooking.

"Sept. 17. All hand was on the ditch with spades, plows, picks, shovels, and a few scrapers. [In the evening they found that each man had earned \$1.50, according to the Hittell version.]⁷

"Sept. 27. A man dressed in buckskin came to our quarters while we were at dinner informing us that Captain Sutter wanted 4 men from our crowd to go with him (the man in buckskin) up the American fork into the mountains about 30 miles to work and help build a saw mill. This man who we were to accompany was James W. Marshall, an entire stranger to us but proved to be a gentleman never the less. He told us that he had been up in the mountains with a few hands only a short time but as some of them were going to leave soon he wished to get a few more. We learnt that he and Sutter were in co-partnership in building the saw mill. So late that afternoon myself and three others [Hittell version: Israel Evans, Azariah Smith and William Johnson] sat out with Mr. Marshall accompanied by Mr. [Charles] Bennett. There I found several of the battalion boys who had remained at Sutters at the time our company past there in August. Four however soon left and returned to the fort and went to work on Sutters Flouring Mill."⁸

THE ACTUAL DISCOVERY OF GOLD AS TOLD BY BIGLER

"My Journal tells me it was on the afternoon of the 24th day of January, 1848 while I was at my drill busy preparing to put in a blast when Marshall as usual went to see Wimmer and the Indians who were at work towards the lower end of the race, when he sent a young indian for Brown to send him a plate.

At this time Brown and one of the indians were whip sawing in the mill yard. Brown gave the indian the plate just before we quit work and he came up and said he believed he had found a gold mine. He did not show us anything neither did he say he had any but went off up to his own house on the side of the mountain but before we went to bed he came in and commenced talking with us saying he believed he had found gold near the lower end of the race and if I remember rite he told us that he tried to melt some and could not do it. He spoke to Brown and me saying, Brown I want you and Bigler to shut down the head gate early in the morning, throw in a little saw dust, rotten leaves and dirt and make all tight and I'll see what there is in the morning. Accordingly the next morning we done as he told us while Marshall went alone down into the race and we went in for our breakfast and after we had breakfasted and came out, Marshall came up carrying his old white hat in his arm looking wonderfully pleased and good natured. There was a heavy smile on his countenance. Some of the boys said they knew in a minute, as soon as they seen him, that something was the matter. As he came up he said, Boys, by God, I believe I have found a gold mine and sat his hat on the work bench that stood in the mill yard. Every man gathered instantly around to see what he had and there sure enough, on the top of the hat crown (knocked in a little) lay the pure stuff. How much I do not know, perhaps half an ounce, may be more from the smallest particles up to the size of a kernel of wheat or larger. The most of it was in very thin small flakes.

"Every man fully exprest his conviction believeing firmly it was gold although none of us had ever seen gold before in its native state. Azariah Smith pulled out a five dollar peace (part of his soldier money) and we compared the dust with it. There seemed to be no difference as to color or weight only that the coin looked a little the brightest and rather more white. This we accounted for because of the alloy in it. Marshall turned about and we all followed him back and in looking close we could find here and there on the base rock and in seams and crevices, particles. Conjectures were, it must be rich and from that time the feaver set in and gold was on the brain.

"Two or three days afterwards Marshall said he would take what gold we had found and go down to the Fort and have it tested saying to us at the same time to keep it to ourselves until we knew what it was. He was gone 4 days and when he returned and was asked what it was his reply was, Oh boy, By God, it is the pure stuff. Then he went on to tell how he done. I and the 'old cap' for that was the way he called Capt. Sutter, went in to a room and locked ourselves up and we was half a day trying it and the Regulars there wondered what the devil was up that Sutter and I should be locked up and got an idea that perhaps I had found a quicksilver mine up here for you know there is one found down towards Monterey found by a woman. We compared it with the encyclopeda and it agreed with it. We applied aquafortis but it had nothing to do with it. Then we weighed it in water. We took a bason with some water

in it, then got our scales and put silver coin in one end and balanced the other with the dust in the air then let it down gradually until the balances came in contact with the water and By God, the gold went down and the silver up (motioned it out with his hands) and that told the story what it was.

"Sutter will be up in a day or two, he continued, to examine and see for himself and how we are getting on. About the 3rd or 4th day afterwards at night Marshall entered our cabin and said, Boys, the 'old cap' has come.⁹ He is up at the house and after talking a while and just before leaving he said, Boys, the 'old cap' always carries his bottle with him and I motion that we all throw in and give Henry some gold and in the morning when you shut down the head gate let him take it down and sprinkle it all on the base rock and when the old gentleman comes down and sees it, it will excite him [so much] that he will bring out his bottle and treat. This was agreed to with a hearty laugh, followed by the donation of dust from each one, for all had more or less gold. So early the next morning before Sutter came down the water was shut off and I went down into the tail race and sprinkled gold pretty plentifully as Marshall had proposed. Just as we were compleating our breakfast we saw Marshall, Wimmer and Sutter comeing walking side by side while the old gentleman was in the middle, very well drest and walking with a cane. At this we slipt out into the mill yard and met them and after passing the common salutations we were invited to go along and have a general time together in looking for gold and rite at this juncture one of Wimmer's little boys came running past us down into the race and picked up nearly every particle and came running back all most out of breath. Meeting us he held out his hand, saying father, see what I have found. Sutter as soon as he saw it jabbed his cane into the ground saying, By Jo, it is rich. Here the joke was against us and we dare not say a word but let the boy claim and keep the gold, lest we lose our expected drink. The boy must of had somewhere between ten and twenty dollars. However we all went down together and had a real time of prospecting. The boy had not completely cleaned the crevices and seams. The Captain had the pleasure of finding and picking up here and there a few particles that had been left or overlooked by the boy.

"The next move was, all the Indians who owned the land was called in forthwith and Marshall and Sutter leased a large scope of the surrounding country, some ten or twelve miles square for 3 years, paying them down some clothing such as shirts, pants, hats, handkerchiefs, a little flour and peas etc, with promise to pay them so much every year till the lease run out. Now it strikes me that Sutter was Indian Agent, at least I know the tame indians called him 'alcaldia Granda,' and any bargain they made with him they considered valid. After this agreement with the indians they sent Charles Bennett, one of the mill hands to Monterey to see Governor Mason and try and have the land secured to them as mill privileges, pasturage and mineral privileges as it bore strong indications of silver and lead (nothing said about gold). The Governor

informed Mr. Bennett that as affairs were yet in rather an unsettled state between Uncle Sam and the Mexican Government he could do nothing for them. The mill hands, however, respected their claims knowing they at least were in possession of settlers rights and had commenced improvements months before the gold was discovered.

"Things continued to go on nicely no one paying any attention to the gold except on Sundays notwithstanding there was many speculations among the men about how rich or how extensive it mite be. Some and even most of the hands had a strong desire and came very near letting the mill go and turn their attention to gold hunting but still they were afraid lest they would lose in the long run more than they mite make. They knew they were getting pritty fair wages for their labor on the mill and it was sure pay while on the other hand there was a risk to run. That was the way we reasoned among ourselves but when Sunday came, down in the tail race we would go. No other place seemed to strike us so favorable and there we would pick with our jack and butcher knives and we hardly ever failed to get less than 3 to 8 dollars each and sometimes more and still we were fearful to venture and besides the mill being so near completed we finally concluded to stick the mill until she started.

"Monday 21st of Feb. I sowed and harrowed in 3 acres of peas for Marshall and it was about this time I wrote to Jesse Martin, Esrael Evans and Ephraim Green (3 mess mates of mine while in the battalion) who were at work on Sutter[']s flouring mill and informed them that we had found gold at the saw mill but to keep it to themselves unless it would be to someone who could keep a secret as Mr. Marshall did not want it known until further developments, not knowing how extensive it was."

Most of the ex-Mormon-Battalion boys must have been considered by their comrades as able to keep a secret for it was common knowledge among them in a few short hours. Less than a week later three of the men from the flouring mill arrived at the sawmill and were allowed by Marshall to hunt for gold in the tail race. They stayed several days and then two of them traveled down the course of the American River looking for fresh signs of gold but at only one place did they find a few particles.

On the 7th of April, Bigler, Stevens and Brown ceased work at the sawmill and returned to the Fort to have a settlement with Captain Sutter. They went by way of the flour mill and learned that several of the boys from the lower camp were up the river getting gold, exactly where and how, they did not know.

On the 9th of April, most of the men gathered together to talk over arrangements for returning to Great Salt Lake. It was decided to send out a survey party to map out a nearer way home than the Truckee Route which would force them to cross the Truckee River twenty-seven times, as Mr. Brannan had told them. The Hittell version of Bigler's Diary states:

"Sunday, April 9th.—The members of our battalion held a meeting and we resolved to be ready to start for Salt Lake on the 1st of June; excepting

those who are to leave next Saturday with an express for Salt Lake and perhaps for the Eastern States." "This express party," Hittell says in a footnote, "was doubtless to carry the extra number of the *California Star* published at San Francisco in the latter part of March with a six-column article on 'The Prospects of California' prepared for the purpose of attracting immigrants."

From that time until the middle of June all work on the mills ceased and the time was spent in hunting gold. Most of the ex-Battalion boys gathered at Mormon Island, the spot where the two returning mill hands had found a few particles of gold the first of March. In May people were flocking up to the gold regions by the hundred and the ruin of Sutter and Marshall had begun. According to Bigler, his own Mormon chums had been the cause of the great publicity concerning the gold strike. He tells it thus:

"It was about this time (April 12th) that one or both of the Willis boys had business that called them from their mineing to the Fort and it strikes me they went to Yerba Buena. At all events they met with Sam Brannan and let him in to the secret. Mr. Brannan told them he could secure the mine as church property and advised for all the battalion boys to go to work in the mine and pay one tenth to him and he would turn it over to the church as their tithing with the understanding at the same time that he was to come in with the Willis and Hudson, haveing a share with them in their claim. This they done. Mr. Brannan at that time was publishing a paper at the 'Yerba Buena' called the *California Star*. He then published forthwith in his paper that gold was found by the Mormon boys in rich abundance on the South fork of the American River and hence it went that the first discovery of gold was made by the Mormons and I suppose there are thousands to this day believe they were the first who found gold in Cal. in 1848. In this way all Cal. and I may say all the world was on the move in a very short time for the land of gold.

"In less than 3 weeks after our return to Coloma, the Californians began to come in thick and fast haveing learned of the discovery through the *California Star* and our little gulches was soon lined from end to end by gold diggers and already began to dispute Marshall's claims to land.

EXTRACTS FROM THE NEW HELVETIA DIARY¹⁰

Sutter's New Helvetia Diary for the same period is far less complete as to detail.

Friday, January 28th, 1848. . . . Mr. Marshall arrived from the Mountains on very important business. . . .

Saturday, January 29th, 1848. . . . Marshall left for the mountains. . . .

Tuesday, February 1th, 1848. Left in the evening for the Sawmill in the Mountains and camped on the Dam. . . .

Sunday, February 6th, 1848. . . . Chs. Bennet from the sawmill arrived last evening. . . .

Wednesday, February 9th, 1848. Despatched two wagons to the Sawmill in the Mountains with Jacob Wittmer. . . .

Monday, February 14th, 1848. Wittmer returned with two wagons from the mountains and told everybody of the gold mines there and brought a few samples with him.

Tuesday, March 7th, 1848. . . . Sending provisions to the mill, race and Dam. Hudson & S. Willis left for the mountains with the intention to work in a Gold Mine.¹¹

Sunday, March 11th, 1848. . . . The Wagon returned from the Mountains with lumber for the Mill at Natomo.

Sunday, March 12th. All hands here from the Mill, upper house etc. . . .

Thursday, March 23th, 1848. Two Mormons arrived with some horses & mules from below, and brought letters and newspapers from San Francisco. . . .

Monday, April 10th, 1848. A verry buissi day, to settle accounts with some of the Mormons.

Saturday, May 1, 1848. Dispatched a Wagon to the Mountains with provisions, etc. and send up there Horace Loy, to be employed at the Sawmill as a teamster. Several other Men went up to the Gold Mines. Abeck returned from there, likewise Nash & Knight. A good Many of the Mormons here. . . .¹²

Friday, May 7, 1848. . . . Mr. Brannan visited the new town where he intend to build a Warehouse & a store. . . . Delivered to the Mormons the two small brass pieces [cannon].

Tuesday, May 11, 1848. . . . Took a ride up to the Mill at Natomo, race & Dam, all the hands left which have been scraping and went to the Gold Mines. . . .

Wednesday, May 12, 1848. . . . A good Many of the Mormons here, they have made a bargain with Mr. Shadden for some Cows, Mules & horses, for the Amount of 7 to 800 Dollars in Gold. . . .¹³

Friday, May 21, 1848. Messrs. Brannan & Ward left for the Mountains. . . . Continually people arriving from below. . . .

Saturday, May 22, 1848. . . . Continually people arriving by water & by land, and going up to the Gold regions. . . .

May 23th, 1848. People arriving from below by Water and by land, bound for the Mountains. . . .

Wednesday, May 24th, 1848. . . . More and more people coming, bound to the Mountains.

Thursday, May 25th, 1848. A number of people continue travelling to the Mountains. . . .

The men who we can be fairly certain were employed at Sutter's flour mill at the time of the gold discovery were:

Wesley Adair¹⁴

Ezra Allen¹⁵

J. R. Allred (not sure of him)¹⁴

George W. Boyd¹⁴

Daniel Browett¹⁵

Sargent Corys and wife¹⁶

Henderson Cox¹⁵

Daniel Denit¹⁶

Mr. Diamond (not in Battalion)¹⁶

Israel Evans¹⁵

Mr. Fiefield (probably Levi)¹⁵

Ephraim Green¹⁵

Orrin Hatch¹⁴

Shadrach Holdaway¹⁷

Jonathan Holmes¹⁶

Wilford Hudson¹⁵

Christopher Layton¹⁷

Jesse Martin¹⁵

H. D. Merrill¹⁴

William S. Muir¹⁴

Mr. Pickup (probably George)¹⁸

Robert Pixton¹⁴

James Sly¹⁵

Samuel Thompson¹⁶

Jacob M. Truman¹⁴

Mr. Weaver (Miles or Franklin)?¹⁶

Ira Willis¹⁵

Sidney Willis¹⁵

Addison Pratt, who was just returning from a mission to the Society Islands, mentions six people as being employed by Sutter at the flour mill, among them Sargent Corys, but the employment of Corys is doubtful.¹⁶

After reading Bigler's interesting account of the gold discovery and its results we can well imagine the excitement at the lower camp when the letter was received from Bigler telling of the stirring event. While the majority of the men undoubtedly talked much of it in their excitement, we can picture Shadrach quietly in the background hearing everything, making his plans and saying little. There can be little doubt that he went with the boys very shortly afterwards up to the sawmill and was allowed by Marshall to pick up gold in the tail race. At least, his sons recite such a version and in proof they depict the scene at the sawmill with minute descriptions of the tail race, just how it worked and why, with a full account of their father's doings there at that time. They admit that their father told them of these things when they assisted him many years later in the building of the first sawmill in Provo Canyon. He had gained many of his ideas for his own sawmill from what he had seen at Sutter's mill in 1848.

There are a few more names which should be added to the list of men whom we know to have participated in this important phase of California history, but they will only come to light after much further research.

THE MARCH TO GREAT SALT LAKE

Let us return to the camp at Pleasant Valley where the Mormons were gathered in preparation for their difficult trek across the mountains to Great Salt Lake, as ordered by Brigham Young and the Twelve (Apostles). Bigler writes:

"On the 3rd of July a general move was made except myself and a few others who were detained. On the 4th about 11 A. M. we roaled out after the camp takeing the divide between the American River and the Macozamy [Cosumnes]. We made about 10 miles and just as we began to prepare for camping we heard the cannon from the front camp and was reminded that this was the birth day of American Independence."

Three men had gone out ahead of the main party to look for a pass and since June 25 nothing had been heard of them, although signs of their passing as they went along had been found. Bigler and his companions had joined the main party and on July 18 had been sent out to work the road.

"As we were returning to camp we found where we supposed our three pioneers had campt by a large spring running from the mountains into the Macozamy and near where they had their fire was the appearance of a fresh grave. Some of us thought it mite be an indian grave as near it was an old wickeyup but the more we looked at it the more we felt there lay the 3 men. When we got back to camp we made a report of the grave, etc.

"Wed. 19th. Roaled out from Leek Spring. Had hard heavy pulling, the road very rocky in places, broke our new axil tree and in passing over a snow bank Mr. J. Holmes' wagon broke down makeing only 5 or 6 miles and encampt at the spring near the fresh grave. Determining to satisfy ourselves it was soon opened. We were shocked at the sight. There lay the three murdered men, robbed of every stich of clothing, lieing promiscuously in one hole about 2 feet deep. Two of them were lieing on their faces. Allen was lieing on his back and had the appearance that an ax had been sunk into his face and shot in the eye. The blood seemed fresh still oozeing from their wounds. When we came to examine round about we found arrows lieing plentifully on the ground. Meny of them bloody and broken. Examining still closer the rocks were stained with blood and Mr. Allen's purse of gold dust lieing about a rod from the grave. The gold was still in the sack. It was known by several of the boys who had seen him make it. He had attached a buckskin string of sufficient length so as to put it over his head and around his neck and letting the purse hang in his bosom inside of his clothes. In the afternoon we enclosed the grave with granite rocks to prevent wild beasts from tareing them out and to stand as a monument to all who may chance to pass that way. We judged they were killed the second night out which would make it the 27th of June. We cut the following inscription on a Balsom fir that stood near the grave.

"To the Memory of Daniel Browett and Ezra H. Allen, Henderson Cox, who was supposed to have been murdered and buried by indians on the night of the 27th of June, A. D. 1848.

"We called this place Tragedy Springs."

After the many weary months of traveling the little group of thirty-seven souls reached Great Salt Lake Valley in the latter part of September, and on October 6, 1848, a great ball and banquet was held in their honor. The two brass cannons were gladly welcomed by the Mormons who felt the need of protection, isolated as they were from the rest of the world.

Shadrach Holdaway with his comrades resolutely left the gold fields, Tragedy Springs, and California, to march forth into a new and unknown life of hardship, trial and poverty, but California had given him enough of its yellow gold to buy machinery for carding wool. Thus California indirectly furnished woolen clothing for many of the pioneers of Utah.

NOTES

1. A fairly complete account of the doings of the Mormon Battalion is to be found in *A Concise History of the Mormon Battalion in the Mexican War, 1846-1847*, by Sergeant Daniel Tyler, 1881.

2. *Biographical Sketch of Lucinda Haws Holdaway*, privately printed for her family.

3. The flour mill at Natoma (or Brighton) was completed by the Mormons but never put into operation on account of the collapse of Sutter's enterprises during the gold rush.

4. "Diary of a Mormon in California," by H. W. Bigler, California MS No. 45, Bancroft Library.

The original Bigler Diary is not in the Bancroft Library, nor is it in the Church Library at Salt Lake City. When I inquired for it, I was told that the family did not have it and did not know where it was. They supposed that it had been destroyed. The Mormon Church has been most assiduous in trying to trace it but to no effect. The manuscript in the Bancroft Library was copied in 1872 for Bancroft. It is not a diary but a journal. It is written mostly in Bigler's own handwriting and was compiled by him from his diary. It was sent in installments, several sheets being sent at a time with a letter addressed to Bancroft as part of a sheet in each one. He complained of being hard up and said that Bancroft would have to mail him paper, envelopes and stamps if he wanted him to proceed. I suppose Bancroft sent them and probably a little money to help him out. There were sometimes intervals of months between installments.

The narrative as written in his own language is far more interesting than the Hittell version (*Overland Monthly*, X, 57, second series, 1887) which was edited so much that the true story was often distorted. For instance, under the date of September 6, 1846, Bigler says, "Mr. Brannan gave us a glowing account of the Great Salt Lake and country with its surroundings." The Hittell version says, "Sam Brannan says the Salt Lake country is no place to live and he thinks the Mormon Church will be established in California." It seems to me that this sort of revision is misleading as well as malicious. It changes the whole tone.

The Hittell version ends with July 30, 1848, and avoids the murder at Tragedy Springs and other historical events.

The facsimile page from the Bigler diary as published in the *Quarterly* of the Society of California Pioneers (Vol. I, No. 3, p. 36) is a copy of the one published by J. S. Hittell in the *Century Magazine*, February, 1891. Bigler evidently allowed them to use the diary long enough to take the picture, but he refused to let them keep it to quote fully because of the intimate nature of some of its notations. He had it with him when he wrote the fuller narrative in 1872 which he forwarded to Bancroft. The Library disclaims that it has the diary or has ever had it, and it does not seem likely that Bancroft would have written to Bigler for a narrative written from his diary, if the original diary were already in his possession. The Utah Historical Society printed the Bancroft manuscript in its *Quarterly* for April, July and October, 1932.

5. Under date of August 25, *The Diary of Johann August Sutter* (published by The Grabhorn Press, San Francisco, 1932) on pp. 41-42 records that "Capt Hart of the Mormon Battailon arrived [at the Fort], with a good many of his Men on their Way to great Salt Lake. They had Orders for Govt. Horses, which I delivered to them, (War Horses) not paid for yet. They bought provisions and got Blacksmith work done. I employed about Eighty Men of them, some as Mechanics, some as laborers, on the Mill and Mill-raise at Brighton; some as laborers at the Sawmill at Columa."

6. Some of Bigler's reference to the Donner party has purposely been omitted on account of its gruesomeness. For details concerning this tragedy see Charles F. McGlashan, *History of the Donner Party*, Truckee, Cal., 1879, or later editions.

7. September 21, "Employed more Carpenters to assist Bennett on the Grist Mill," records Sutter in his Diary.

8. The flour mill is mentioned again by Sutter on November 1. "Getting with a great deal of trouble and with breaking wagons the four Runs of Millstones, to the Mill Site (Brighton) from the Mountains."

9. Sutter's own account states that he left the Fort for the Sawmill on February 1 and that he was absent on the 2d, 3d, 4th and 5th. "I had a talk with my employed people all

at the Sawmill. I told them that as they do know now that this Metal is Gold, I wished that they would do me the great favor and keep it secret only 6 weeks, because my large Flour Mill at Brighton would have been in Operation in such a time, which undertaking would have been a fortune to me, and unfortunately the people would not keep it secret, and so I lost on this Mill at the lowest calculation about \$25,000. (*Diary of Johann August Sutter*, pp. 44-45.)

10. "Sutter's Diary—a record of events kept by John A. Sutter and his clerks at New Helvetia, California," September 9, 1845, to May 25, 1848. The entries in this journal were made by John Bidwell, W. F. Swasey, W. N. Loker, and John A. Sutter, those dated May 20, 1847, to May 25, 1848, being in the handwriting of Sutter. The original manuscript is in the collection of the Society of California Pioneers; the Bancroft Library has a copy dated 1881.

11. March 7th. The first party of Mormons, employed by me left for washing and digging Gold and very soon all followed, and left me only the sick and the lame behind. . . ." (*Diary of Johann August Sutter* [Grabhorn Press], p. 45.)

12. "May 1st. Saml Brannan was building a store at Natoma, Mormon Islands, and have done a very large and heavy business." (*Ibid.*, p. 47.)

13. "May 15th. Paid off all the Mormons which has been employed by me, in building these Mills and other Mechanical trades, all of them made their pile, and some of them became rich & wealthy, but all of them was bound to the great Salt Lake, and spent there their fortunes to the honor and Glory of the Lord!" (*Ibid.*, pp. 47-48.)

14. *Life of a Pioneer*, by James S. Brown, Salt Lake City, 1900. These were names mentioned at random by him in his text as participating with him at this period.

15. From H. W. Bigler, "Diary of a Mormon in California." The same names are also to be found in quotations from Azariah Smith's Journal in Journal History of Latter Day Saints' Church covering this period. Smith also adds one more name. (See Note 18, below.)

16. From quotations from Addison Pratt's Journal covering this period, in Church Journal History in Historian's Library at Salt Lake City.

17. Mentioned by Logan G. Holdaway in his version of the gold strike given in a dictation at Salt Lake City, May 20, 1934.

18. Mentioned only by Azariah Smith.

LECTURES ON "SIDELIGHTS ON CALIFORNIA HISTORY"

THE SOCIETY by arrangement with the Extension Division of the University of California will present a course on "Sidelights on California History" in its rooms beginning Tuesday, September 17, at 8:00 P. M. Dr. Herbert E. Bolton, Dr. Herbert I. Priestley and Dr. Frederic L. Paxson will each deliver four lectures, which will be open to all taking the course. The cost of this series of talks is \$6.00 in addition to the \$1.00 registration fee. The success of last year's series induced the Directors of the Society to continue the work this year. It is hoped that members and their friends will take advantage of this opportunity to attend and receive instruction from California's leading historians. Attention is called to the fact that the first lecture by Dr. Bolton will be given without entrance fee.

MEETINGS OF THE SOCIETY

"How REVOLUTIONS against Mexican Control Held California for the United States; Four Major Causes and Their Effects" was the subject of Dr. George Tays' most interesting talk at the Society's luncheon meeting held June 25, 1935, at the Hotel Sir Francis Drake. Forty-two members and guests were present.

Dr. Tays showed convincingly how lust for political power by both Californians and Mexicans; desire of politicians to control secularized mission establishments; rivalry between Los Angeles and Monterey for political supremacy; and the intense dislike of the native Californians for the Mexicans, fostered revolts and uprisings which kept California in a turmoil, preventing European or Mexican intervention with the result that local opinion was so divided that the prize naturally fell into American hands with the outbreak of the Mexican War. Summing up his argument the speaker concluded, "Thus it was that the Californians unwittingly gave the United States sufficient time in which to get ready to take the territory, and in that way saved California for the United States."

On Tuesday, August 27, 1935, the Society's luncheon meeting at the Sir Francis Drake Hotel was attended by fifty-six members and guests. Mr. Wiltsee introduced the speaker, Mr. Robin Lampson, who spoke on "Writing An Epic of the California Gold Rush."

After telling briefly of his boyhood in Sonoma County, during which he absorbed from the pioneers themselves and their descendants many tales of the Gold Rush days, Mr. Lampson read parts of his new book, *Laughter Out of the Ground*, which is being published by Charles Scribner's Sons. He gave a most apt explanation of his title: that while not all of the Forty-niners were lucky enough to find the gold they came for, all got "Laughter Out of the Ground," even though that laughter was often ironic. The parts of his novel he read bore out his explanation. They were vignettes of friendship, murder, rough-and-ready retribution, but through them all the humor of the Gold Rush days cropped out. The cadenced style is a happy choice in which to make graphic an inherently interesting tale.

NEW MEMBERS

<i>Name</i>	<i>Address</i>	<i>Proposed by</i>
Bissinger, Paul	San Francisco	Mr. E. A. Wiltsee
Blyth, Charles R.	San Francisco	Mr. E. A. Wiltsee
Bowen, William A.	Los Angeles	Mr. H. R. Wagner
Bramé, Herbert	Placerville	A. T. Leonard, Jr., M.D.
Cavalier, William	Oakland	Mr. E. A. Wiltsee

<i>Name</i>	<i>Address</i>	<i>Proposed by</i>
Chadwick, Edward S.	Los Angeles	Miss Dorothy Huggins
Crothers, George E.	San Francisco	Mr. E. A. Wiltsee
Dohrmann, F., Jr.	San Francisco	Mr. E. A. Wiltsee
Duffy, Owen, Jr.	Yountville	Mr. Douglas S. Watson
Eisner, Milton D.	San Francisco	Mr. E. A. Wiltsee
Elsey, Fred T.	San Francisco	Mr. E. A. Wiltsee
Gump, Robert L.	San Francisco	Mr. E. A. Wiltsee
Howard Sidney Coe	Stockbridge, Mass.	Mr. Douglas S. Watson
Kaufmann, Joel	San Francisco	Mr. E. A. Wiltsee
Kendrick, Charles	San Francisco	Mr. E. A. Wiltsee
Koshland, Robert J.	San Francisco	Mr. E. A. Wiltsee
Lewis, George	San Francisco	Mr. E. A. Wiltsee
Majors, Ergo A., M.D.	Oakland	Mr. F. M. DeWitt
Moffitt, H. C.	San Francisco	Mr. E. A. Wiltsee
Native Sons of the Golden West, Grand Parlor	San Francisco	Mr. Charles R. Boden
Okell, Jack	San Francisco	Mr. Allen L. Chickering
Pearce, W. Stanley H.	Palo Alto	Mr. E. A. Wiltsee
Robbins, M. H.	San Francisco	Mr. E. A. Wiltsee
Rosener, Leland S.	San Francisco	Mr. E. A. Wiltsee
Seale, Alvin	San Francisco	Mr. Douglas S. Watson
Short, Frank R.	San Francisco	Mr. E. A. Wiltsee
Shutes, Milton H., M. D.	Oakland	Fletcher Taylor, M.D.
Sullivan, Joseph A.	San Francisco	Mr. David Newberry
Tully, Jasper W.	San Francisco	Mr. E. A. Wiltsee
University of Chicago Libraries	Chicago	Miss Dorothy Huggins
Ward, Roy C.	Mill Valley	Mr. E. A. Wiltsee
Watters, B. E.	San Francisco	A. T. Leonard, Jr., M.D.
White, Mrs. Charles L.	Sausalito	Miss Dorothy Huggins

GIFTS RECEIVED BY THE SOCIETY

June 1, to August 31, 1935

BOOKS AND PAMPHLETS

From MISS ANNA W. BEAVER—Gilbert, G. K., *The Investigation of the San Francisco earthquake* (reprinted from *Popular Science Monthly*, Aug. 1906); *Memorial of Edward Rowland Sill*, published for private collection [1887]; prospectus of Wendte, Charles W., *Thomas Starr King*.

From MR. ALBERT M. BENDER—Buckbee, Edna Bryan, *The Saga of old Tuolumne*, N. Y., 1935; *Essays in social economics in honor of Jessica Blanche Peixotto*, Berkeley, U. C., Press, 1935; Genthe, Arnold, and Irwin, Will, *Pictures of old Chinatown*,

N. Y., 1908 (autog.); [O'Meara, James], *Vigilance Committee of 1856*, S. F., 1890; Steinbeck, John, *Tortilla Flat*, N. Y. [1935], and others.

From MISS KATHARINE R. CARROLL—Harris, Elizabeth Howe, *Give me a bill and other poems*, S. F., 1935 (autog.).

From CHRISTOPHER PUBLISHING HOUSE—Tilton, Cecil G., *William Chapman Ralston, courageous builder*, Boston [1935].

From MRS. EDMOND D. COBLENTZ—Rogers, Justus H., *Colusa County*, Orland, 1891; Willis, William L., *History of Sacramento County*, L. A., 1931. (Omitted in error from June number.)

From MR. GEORGE E. DANE—Pamphlets, etc. re Upton Sinclair's "EPIC" plan, and *The Pacific Coast longshoremen's strike of 1934*.

From MR. PHILIP B. KIMBALL, Maria Brace, *My eighty years*, priv. printed [Boston], 1934.

From the SERA—Mimeographed indexes to: Borthwick, *Three years in California*; Burnett, *Recollections and opinions of an old pioneer*; Bryant, *What I saw in California*; Colton, *Three years in California*; Downie, *Hunting for gold*; Foster, *Gold regions of California*; Johnson, *California and Oregon*; Letts, *California illustrated*; Marryat, *Mountains and Molehills*; Robinson, Alfred, *Life in California*; Robinson, Fayette, *California and its gold region*; Ryan, *Personal adventures*; Shaw, *Eldorado and California*; Shinn, *Story of the mine*; Soulé, Gihon, and Nisbet, *Annals of San Francisco*; Taylor, Bayard, *El Dorado*; Taylor, William, *California life*; Tyson, *Diary of a physician in California*; Woods, *Sixteen months at the gold diggings*.

From G. E. STECHERT & CO.—Gudde, Erwin Gustav, *Neu-Helvetien, Lebenserinnerungen des Generals Johann August Sutter* [1934].

From PROF. GEORGE R. STEWART, JR.—Stewart, George R., Jr., *The Drama in a frontier theater* (reprinted from *The Parrott presentation volume*, Princeton Univ. Press, 1935).

From MRS. FRANCIS WILLIAMS—Hanna, Phil Townsend, *California through four centuries*, N. Y. [1935].

From MISS LOTTIE G. WOODS—Calif. Society for the Prevention of Cruelty to Children, *Annual report, 1911*; Cummings, Homer, *Address*, Democratic National Convention, S. F., June 28, 1920; Faust's *Map and guide of San Francisco*, 11th ed., copy. 1890; Firemen's Fund Insurance Co., *County atlas of California*.

PICTURES AND MAPS

From MR. ALBERT M. BENDER—"Bridalveil Fall, Yosemite" (large framed photograph), by Ansel E. Adams; "San Francisco to the south" (framed etching), by Gertrude Partington Albright; 4 colored photographs of San Francisco Chinatown (framed); "The Flight of April 18th, 1906" (photograph of a bas-relief by Florence Manor); Membership certificate Society of California Pioneers (framed); steel engraving of Leland Stanford; cartoon: "The Tables turned"; unframed photographs: John Henry Nash; San Francisco scenes, 1879-1898; Ralston residence at Belmont; Vineyard in Napa County.

From MISS STELLA HUNTINGTON—Framed photograph of quarry on block bounded by Waller, Cole, Frederick and Clayton Sts., San Francisco, 1890, property which at one time belonged to Mr. Henry Root.

From MR. EMMETT P. JOY—Photographs of pen and ink sketches of Black Bart, Joaquin Murieta, Tiburcio Vasquez, and Chinese Joss House, San Andreas.

From MR. HENRY R. WAGNER—Water color sketch of Mission San Buenaventura, 1855, by James Alden.

From MISS LOTTIE G. WOODS—3 large views and 30 post cards of S. F. earthquake and fire, 1906; 12 views of Nevada mining towns; Map of the State of California, compiled by Leander Ransom, 1862; small photograph of Count Pavloff, S. F., 1869.

MISCELLANEOUS

From MR. FRED J. BOWLEN—26 typewritten manuscripts relating to the history of the S. F. Fire Department.

From MR. EDWARD EBERSTADT—2 printed circulars re Sacramento City and County Bonds and California State Bonds, 1856.

From MR. EMMETT P. JOY—Iron pot and parts of two iron picks from the "ghost town" of Red Dog, Calaveras County.

From MR. WINFIELD SCOTT RUNDE—Sea chest brought to S. F. in 1859 by Christopher Henry Runde, also his birth and baptismal certificate, marriage certificate, and passport.

From MISS LOTTIE G. WOODS—S. F. *Chronicle*, Jan. 1, 1889; *The Resources of California*, S. F., Sept. 1882, and other items.

In Memoriam

MARCEL E. CERF

1877-1935

JUDGE MARCEL E. CERF, long a member of the California Historical Society, died at his home in Steiner Street, June 20, 1935.

He was born in 1877 of French parents at San Luis Obispo. At the age of sixteen he entered the University of California from which he was graduated in 1897. After his subsequent graduation from the Hastings Law School, in which institution he later became a member of the faculty, he was admitted to the bar. At the time of his death he was a governor of the San Francisco Bar Association. In 1905 he was appointed general attorney of the Western Pacific Railroad Company. Though a Democrat in politics, he was selected by Governor Hiram Johnson to fill a vacant San Francisco judgeship, which he held from 1913 until 1915. During the World War he abandoned his private practice temporarily to serve the Government, and again in 1933 his services were commandeered; this time as legal member and secretary of the NRA Compliance Board sitting in San Francisco, and this also without compensation.

In 1909 Judge Cerf married Katherine Agnew Martin, granddaughter of David Colton, associate of Huntington and other builders of the first trans-continental railroad. Two daughters and his wife survive him.

During his long and active career as a lawyer and jurist his ability was universally recognized. He was President Franklin D. Roosevelt's choice for a Federal judgeship, to which he would have been appointed had he lived. Judge Cerf was an ardent liberal, always championing the cause of labor and

the underprivileged. His kindly attitude toward all and his keen intellect endeared him to a host of friends.

OSCAR SUTRO

1874-1935

WHEN THE NEWSPAPERS of June 10, 1935, announced the sudden death of Oscar Sutro, a wave of sorrow and regret swept over his large circle of friends throughout the country. Mr. Sutro was a lawyer of distinguished ability and an executive of a high order, and a gentleman and friend of extraordinary loyalty. He was born in Victoria, B. C., June 18, 1874, so that he was in his sixty-first year at the time of his death. He was a graduate of the University of California, and had served two terms as President of the Alumni Association of that Institution. He studied law in the office of Pierson & Mitchell in San Francisco, and in his youth he went to the Philippines and practiced in Manila for several years as an associate of E. S. Pillsbury. He returned to San Francisco in 1904 and became a member of the leading law firm of Pillsbury, Madison & Sutro, with which he continued to the time of his death. In 1930 he became Vice-President of the Standard Oil Company of California in addition to his connection with his law firm.

Mr. Sutro was in his private life a great student. He was particularly interested in Shakespeare, and had collected a very comprehensive Shakespeare library. He had an exceptional ability to express, orally or in writing, the results of his reading in a clear and interesting manner.

In addition to these qualities, Mr. Sutro was a gentleman of the highest type and a friend whose loyalty never failed. For these reasons it will be a long time before the gap caused by his death will be filled.

Mr. Sutro was distinctly a home man, was happily married, and was a devoted husband and father. His widow and three children survive him.

WESTERN HISTORY CHECK LIST

The check list of recent items relating to the history of California and the West, which under the editorship of Charles L. Camp has been a feature of the *Quarterly*, has been omitted for lack of space but will be continued in the next issue.

PERSONALIA AND MARGINALIA

MR. EARL RAMEY, whose "Beginnings of Marysville" starts in this issue of the *Quarterly*, was born at Fredericktown, Missouri, April 26, 1896. In 1925 he was graduated from Stanford, at which institution he took his master's degree in 1930. From 1927 until 1934 he taught history and political science in the Yuba County Junior College, and at present is teaching English and Mathematics in the Marysville High School. Mr. Ramey's contribution is the third in the series of histories of early California towns to be published by the Society, and will be followed in due course by those of San Diego, Sacramento, Stockton, Monterey and Sonoma.

Dr. George Tays, who contributes the article on Castillero in the present issue, was born in El Paso, Texas, June 18, 1900. He entered the University of California in 1915, and in April, 1917, joined the Red Cross ambulance unit for service in France. Before his return to the University in 1919 he served successively in Base Hospital 47; 320th Battalion of the Field Signal Corps and the 5th Field Artillery, U. S. Army, during which time he received the Croix de Guerre, the Distinguished Service Cross, and a citation. In 1921 he was graduated with an A.B. degree, and received a B.S. degree the year following. From 1922 to 1925 he followed his profession of engineer, and was translator on the staff of the Tacna-Arica Commission, 1925-1926. Returning to the University for graduate work in American and Hispanic-American History, he took his M.A. degree in 1927. From 1918 to 1929 when he resigned, he held a commission in the U. S. Army, first as lieutenant, later as captain. Dr. Tays took his Ph.D. degree in May, 1932. He has taught as an assistant in the Department of History, University of California, and as a lecturer in the Extension Division, and at present is head of the research section of the Field Division of Education, National Park Service.

In the near future there will be printed in the *Quarterly* the unpublished correspondence of Governor J. Neely Johnson having to do with the Vigilance Committee of 1856. Much has been written from the side of the Vigilantes, while the so-called Law and Order side has been somewhat neglected. Now, thanks to Dr. Herbert L. Florcken, who is responsible for the bringing to light of the Neely Johnson papers, the members of the Society will be able to follow the Governor's reactions to the illegal assumption of power by the Vigilance Committee of 1856, of which William T. Coleman was head.